



Appeal Against Conditions of Fire Safety Certificate (18/175)

Project	Jigginstown House, Naas, Co. Kildare
Local Authority	Kildare County Council
Date	5 th December 2019

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1.0 INTRODUCTION

The project involves a Fire Safety Certificate for construction of a proposed residential facility and administration building at a residential facility in Jigginstown House, Naas, Co. Kildare.

A Fire Safety Certificate application for the works was granted on the 25th of July 2019 which was subject to twelve conditions.

The appellant wishes to appeal condition 3 and 4 of the fire safety certificate grant which refers to the following:

Condition 3

A sprinkler system should be provided within each open plan residential unit in accordance with BS 9251: 2014. It should be a category 2 system, with a minimum duration of 30 minutes.

Condition 4

The occupants of the open plan residential units shall be capable of independent evacuation in the event of an emergency evacuation.

2.0 INFORMATION REVIEWED

In assessing this appeal, the following information was considered: -

- Fire safety certificate application including report and drawings received, and additional information.
- Appeal submission from Clarke Engineering and Consultancy Services dated 20th August 2019.
- Fire Officers Report on Fire Safety Certificate appeal dated 10th September 2019.

3.0 DISCUSSION

Condition 3

A sprinkler system should be provided within each open plan residential unit in accordance with BS 9251: 2014. It should be a category 2 system, with a minimum duration of 30 minutes.

Reason

Under section 0.6 "*Specialized Housing*" of BS 9991: 2015, guidance is provided with regard "to designers considering the characteristics of the residents of the building and incorporating an appropriate range of fire precautionary measures to ensure a suitable level of fire safety within the building...which may include the provision of an AWFSS (Automatic Water Fire Suppression System).

BCA's Case

The fire officer reiterated the point, that a more appropriate and up to date document such as BS 9991: 2015 should have been referenced and used as part of the fire safety certificate application.

The appellant has stated that the proposed building is similar to that of a Aparthotel however the description of the building provided by the client details a facility, under 24/7 security, where occupants are provided with support services to help integrate them back into society. The accommodation being provided is for long term stay (6 months) and is being provided exclusively for occupants who have just been released from prison. The BCA is under the opinion that these residential units would be more accurately described as "*specialized housing*", as described in Table 1 of BS 9991: 2015 (Fire safety in the design, management and use of residential buildings i.e. BS 9991: 2015.

The BCA is also of the opinion that a more accurate purpose group to define the accommodation is Purpose Group 1(c) and on this basis BS 9991: 2015 should have been reinforced and used as part of the fire safety certificate application.

Under Section 0.6 "*Specialized Housing*" of BS 9991: 2015, guidance is provided with regard "*to designers considering the characteristics of the residents of the building and incorporating an appropriate range of fire precautionary measures to secure a suitable level of fire safety within the building...which may include the provision of an AWFSS (Automatic Water Fire Suppression System)*".

Appellant's Case

Clarke Engineering and Consultancy Services note that there is a total of twelve studio apartments, three on the first floor and nine on ground floor level and an administration building. The administrative building will be manned 24/7 and that the development is designed that residence can only access their studio apartment by having to pass the administrative centre.

Clarke Engineering and Consultancy Services argument is that this facility is an aparthotel where it is manned 24/7 as stated above. It is also stated by Clarke Engineering and Consultancy Services that there is a 6 month stay which by Clark's is deemed to be short term. Therefore, because of points highlighted. Purpose group 2(b) 'Other Residential' is suitable for this development.

As Clarke Engineering and Consultancy Services are addiment that Technical Guidance Document B (TGD-B) is a suitable choice for the fire safety certificate of this development. They argue that an AWFSS system is unwarranted and unnecessary cost to the project. The argument is based on the fact that the bedroom is not deemed an inner room, which in turn does not require an AWFSS system in an open-plan design as stated in TGD-B. Clarke Engineering and Consultancy Services continue this argument by stating the flats also meet specific conditions set out in TGD-B.

Discussion

It is agreed that the proposed building should incorporate a fire strategy fully compliant to BS 9991: 2015 and the appellant has incorrectly incorporated different elements of the TGD-B and BS 9991: 2015. For example, Open-Plan Studios will comply with Section 9.4.2 of BS 9991: 2015 however travel distances within the studio apartments will comply with TGD-B and not be greater than 10m in a single direction. Travel distances within studio apartments should not exceed 9m in a single direction, in accordance to the recommendations of BS 9991:2015. Any extension in this travel distance would require an AWFSS, as noted by the BCA.

The BCA state that the building is similar to Specialized Housing and therefore an AWFSS would be required. However, this is not necessarily the case. If the specialized housing caters for occupants who are not capable of independent escape, then an AWFSS should be provided (Section 11.1 of BS 9991: 2015). As the premises does not facilitate older occupants, and doesn't serve as a drug rehabilitation center, or similar, an AWFSS would not be required.

Based on the relevant fire strategy drawings (5091-302-01 Rev 02), only one apartment at ground floor level within the Residential Facility exceeds the 9m limitation, i.e. Unit 9. All remaining apartments travel distances are within the 9m limitation.

Reference should have been made to Section 7.1 of BS 9991: 2015; where flats or maisonettes are entered directly from the outside at ground or access level should be treated as houses and be in accordance with Clause 6.1 and 6.2 of BS 9991: 2015. As no habitable rooms form inner rooms, sufficient means of escape is provided via the main entrance of the apartment. However, as this wasn't referenced in the Fire Safety Certificate application, it is recommended that the entrance door to Unit 9 be relocated to reduce the travel distance limitation to within the 9m limitation. This will alleviate any requirement for an AWFSS within the Residential Facility.

Condition 4

The occupants of the open plan residential units shall be capable of independent evacuation in the event of an emergency evacuation.

Reason

Section 9.7 "*Open-plan flat design*" of BS 9991: 2015 states that "*open-plan flats layout should not be provided for accommodation where the occupants are not capable of independent evacuation*".

BCA's Case

The fire officer bases this condition on guidance document BS 9991: 2015 and refers to Section 9.7 where it states "*open-plan flats layout should not be provided for the accommodation where the occupants are not capable of independent evacuation.*"

The fire officer expresses concern on Clark Engineering and Consultancy Services basis for an appeal on condition 4 of the granted fire certificate application. Concern has been raised on occupants being capable of independent self-evacuation in the event of a fire or an emergency evacuation.

Appellant's Case

Clarke Engineering and Consultancy Services note that this condition is unmanageable and bias towards persons with impairments. They state that the management of the facility cannot be expected to deter persons with impairments from being residences in this complex and this could be interpreted as discriminatory.

Engineering and Consultancy Services do however, state that the management of this facility will endeavour to ensure that the occupants of the open plan residential units are capable of independent evacuation in the event of a fire.

Discussion

The facility must cater to occupants who are capable of independent escape in order to alleviate the requirement for an AWFSS. Therefore, it is recommended that Condition 4 be retained.

4.0 RECOMMENDATIONS

Condition 3 should be revised to note the following: -

All studio apartments are required to fully comply with the requirements of Figure 10(a) of BS 9991: 2015. In particular, the entrance door to Unit 9 should be revised to ensure full compliance with Figure 10(a) of BS 9991: 2015. Alternatively, a sprinkler system should be provided within each open plan residential unit in accordance with BS 9251: 2014. It should be a category 2 system, with a minimum duration of 30 minutes.

Condition 4 should be upheld and state the following: -

The occupants of the open plan residential units shall be capable of independent evacuation in the event of an emergency evacuation.

Signed 
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Date: 5th December 2019

