



An  
Coimisiún  
Pleanála

## FSC Report

**ACP-322819-25**

**Appeal v Refusal or Appeal v  
Condition(s)**

Appeal v Conditions  
(Conditions 2 and 6)

**Development Description**

Change of use at third floor level from  
residential to office use, and  
associated material alterations,

at

14 Herbert Street, Dublin 2

**Building Control Authority Fire Safety  
Certificate application number:**

FSC2510502DC  
(Submission No. 3027710)

**Appellant**

Mr. John Hume

**Appellant's Agent**

Mr. Colm Traynor,  
CTA Fire Safety Consultants

**Building Control Authority:**

Dublin City Council

**Inspector**

Colin Barden

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## 1.0 Introduction

- 1.1. The proposed development at 14 Herbert Street, Dublin 2, consists of a change of use of the entire third floor level from residential to office use and materials alterations associated with that change of use.
- 1.2. A Fire Safety Certificate Application, with Building Control Authority (BCA) Ref. FSC2510502DC was submitted to the BCA on 28/01/2025. That Fire Safety Certificate Application was Granted subject to 8 Conditions on 20/05/2025. An appeal against Conditions 2 and 6, below, was lodged with An Coimisiún Pleanála (ACP) on 19/06/2025.

### ***“Condition 2:***

*The construction of the protected escape stairs, which is outside the scope of the application, shall not be altered and shall be constructed in accordance with the previously approved Fire Safety Certificate Application (FA234/96), including the following:*

- a) *The escape stair shall be constructed with 60 minutes fire resisting construction with protected lobbies. Partitions and masonry walls shall achieve a minimum 30 minutes fire resistance with FD30S fire doors.*
- b) *The side partition and underside of the basement stair shall achieve a minimum 30 minutes fire resistance.*
- c) *Any additional openings to the basement stair, which were not shown on the previously approved Fire Safety Certificate Application drawing (basement floor plan), shall be blocked up with 60 minutes fire resistant construction.*
- d) *Three protected lobbies to the stairs shall be provided at ground floor level.*
- e) *The partition separating the stairs shall achieve a minimum 30 minutes fire resistance at ground floor level.*
- f) *Two protected lobbies to the stair serving upper levels shall be provided at first floor level.*
- g) *The room that directly opens into the stair serving upper levels at the rear of the building shall not be used as a kitchen and it shall remain unoccupied at first floor level.*

- h) Two protected lobbies to the stair serving upper levels shall be provided at second floor level.*
- i) The storeroom shall be enclosed in 30 minutes fire resisting construction with FD30S fire door. The fire door shall be locked when the storeroom is not in use at second floor level.*
- j) The rear room, which was not shown on the previously approved Fire Safety Certificate Application drawing (second floor plan), shall not be used as a storeroom and it shall remain unoccupied at second floor level.*
- k) The fire resistance of the walls, fire doors and protected lobbies shall be inspected, assessed, upgraded, and approved by the design team on-site.*

**Reason:**

*To comply with Parts B1-B5 of the Second Schedule to the Building Regulations, 1997 to 2024.”*

**“Condition 6:**

*The fire resistance of existing structural elements, which are outside the scope of the Application, shall achieve a minimum 60 minutes fire resistance and comply with the previously approved Fire Safety Certificate Application (FA234/96).*

**Reason:**

*To comply with Part B of the Second Schedule to the Building Regulations, 1997 to 2023.” To comply with Part B3 of the Second Schedule to the Building Regulations, 1997 to 2024.*

1.3. The subject of this report is an appeal v conditions (Conditions 2 and 6).

## 2.0 Information Considered

2.1. The information considered in this appeal comprised copies of the following:

- Statutory and supporting documents submitted with the application on 28/01/2025.
- Grant of Fire Safety Certificate with 8 Conditions dated 20/05/2025
- Appeal by the (first) Agent, Mr. Allister Coyne, Ailtireacht Architects, on behalf of the Appellant, Mr. John Hume, lodged with ACP on 19/06/2025
- BCA response to the Appeal, dated 14/07/2025, (including copy of documents submitted in support of previously approved Fire Safety Certificate Application FA234/96).
- Further submission by the (second) Agent, Mr. Colm Traynor, CTA Fire Safety Consultants, on behalf of the Appellant, dated 14/08/2025

For clarity, references to the 'Appellant' in this report include submissions made on their behalf by their Agent in this appeal process. The term 'Applicant' is used when referring to the Fire Safety Certificate Application process.

## 3.0 Relevant History/Cases

- 3.1. Conditions 2 and 6, which are under appeal, both reference a Previously Approved Fire Safety Certificate Application Reg. Ref. no. FA234/96. This Fire Safety Certificate Application was for the provision of *“two flats on third floor level of existing building”*.
- 3.2. There was no reference in the history on file to any relevant Commission decisions at this or other locations.

## 4.0 Appellant's Case

- 4.1. The Appellant is appealing the inclusion of Conditions 2 and 6 to the Grant of Fire Safety Certificate Application.
- 4.2. In the initial appeal submission on 19/06/2025 the Appellant states that Conditions 2 and 6 refer to matters outside the scope of the application and notes the conditions themselves state, in the first line of each condition, that the matter conditioned is outside the scope of the application. The Appellant's case is that matters 'outside the scope of the application' should not be included in conditions.
- 4.3. In the second submission on 14/08/2024 the Appellant expands on the case in support of the appeal as follows:-

Appellant's case in relation to Condition 2:

- Matters that are outside the scope of the application cannot be considered by the Building Control Authority.
- The wording 'construction of the protected escape stairs' in the Condition is vague as it is unclear whether this applies to the stairs, the protected stairs enclosures or lobby protection.
- In relation to point (a) under Condition 2: This point is interpreted as referring to a requirement for protected lobbies to the stairs. Although the design code used in this case was TGD-B 2006 (2020 reprint) the Appellant points out that 7.1.4.1.1 of the newer TGD-B 2024 does not require protected lobbies, for a change of use to office, when:
  - there are no more than four storeys over ground level,
  - self-closing fire doors with an automatic release mechanisms,
  - total floor area on any storey not more than 250m<sup>2</sup>,
  - fire detection and alarm system to be Category L1,
  - Automatically Opening Vent (AOV) to be provided over stairs and
  - the stairs does not directly connect with a basement.

They note that the proposed change of use complies for the most part with this new guidance and that given that the building is a protected structure and that the change of use in this case it to top-most floor only it would normally be considered onerous to apply all of the above parameters to the entire building.

- In relation to point (b): No alteration to this text is requested.
- In relation to point (c): No alteration to this text is requested.
- In relation to point (d): For the reasons set out under Condition 2 (a) (no requirement for protected lobbies in 7.1.4.1.1 of TGD-B 2024 etc.) the Appellant requests that this text be deleted.
- In relation to point (e): No alteration to this text is requested.
- In relation to point (f): For the reasons set out under Condition 2 (a) (no requirement for protected lobbies in 7.1.4.1.1 of TGD-B 2024 etc.) the Appellant requests that this text be deleted.
- In relation to point (g): This sub-section of Condition 2 requires a 'coffee break' room at first floor level which opens directly off the stairs to be unoccupied. For the reasons set out under Condition 2 (a) (no requirement for protected lobbies in 7.1.4.1.1 of TGD-B 2024 etc.) the Appellant requests that this text be deleted.
- In relation to point (h): For the reasons set out under Condition 2 (a) (no requirement for protected lobbies in 7.1.4.1.1 of TGD-B 2024 etc.) the Appellant requests that this text be deleted.
- In relation to point (i): No alteration to this text is requested.
- In relation to point (j): This sub-section of Condition 2 requires a store room at second floor level which opens directly off the stairs to be unoccupied. This room can be provided with 30 minute fire rated enclosure and we request that this condition be amended to permit it's use.
- In relation to point (k): The sub-section of Condition 2 requires that fire resistance of walls, fire doors and protected lobbies be inspected, upgraded and approved by the design team on site. The current process (of building control) requires inspection and sign-off and therefore this section of Condition 2 is unnecessary and should be removed.

Appellant's case in relation to Condition 6:

- The 1996 Fire Safety Certificate Application committed to 60 minute fire resistance to second and third floors and included a general statement that 'all elements of structure to have 60 minutes fire resistance'. However Condition 6 is vague in that it refers to elements of structure outside the scope of the application.
- The question of fire resistance of existing floors is also covered by Condition 5 making Condition 6 moot.

It is noted that in this submission the Appellant makes a case for the scope of the Appeal to be expanded to also, include Conditions 1, 3, 4, 5, 6 and 7 (in addition to Conditions 2 and 6). This point will be considered in the assessment section below.

## 5.0 Building Control Authority Case

5.1. The BCA set out their response to the Appeal as follows:

- The BCA note that the Applicant submitted existing floor plans as part of the application under appeal and stated that those floor plans were as per the previous Grant of Fire Safety Certificate FA234/96. However on examination this was found not to be the case. The previously approved floor plans showed protected lobbies to the protected stairs at basement, ground, first and second floor levels. The removal of those protected lobbies was not within the stated scope of the Fire Safety Certificate Application under appeal. To ensure compliance with FA234/96 the BCA deemed it necessary to include Condition 2.
- The BCA note that the previous Grant of Fire Safety Certificate FA234/96 included a commitment to 60 minutes fire resistance for elements of structure. Whereas the Application under appeal refers to 30 minutes fire resistance for elements of structure. The change in fire resistance was not within the stated scope of the Fire Safety Certificate Application under appeal. To ensure compliance with FA234/96 the BCA deemed it necessary to include Condition 6.

## 6.0 Assessment

### 6.1. *De Novo* assessment

Having regard to the nature of the appeal which is solely against Conditions 2 and 6, and having considered the drawings, details and submissions on the file and having regard to the provisions of Article 40 of the Building Control Regulations 1997, as amended, I am satisfied that the determination by the Commission of this application as if it had been made to it in the first instance would not be warranted. Accordingly, I consider that it would be appropriate to use the provisions of Article 40(2) of the Building Control Regulations, 1997, as amended.

### 6.2. Content of Assessment

Having carried out an assessment of this appeal there are a number of themes emerging as follows:

- Scope of the Appeal
- Scope of the Fire Safety Certificate Application
- Condition 2 – Provision of Protected Lobbies
- Condition 6 – Fire Resistance of Elements of Structure.

Each of those these will be considered below.

#### 6.2.1. Scope of the Appeal

It is noted that the initial appeal submission, received by the Commission on 19/06/2025, was in relation to the appeal of Conditions 2 and 6 only. The second submission, from a different agent, on 14/08/2025 addresses the BCA response to the appeal in relation to Conditions 2 and 6, however it also goes on to seek the appeal of Conditions 1, 3, 4, 5, 6 and 7 (in addition to Conditions 2 and 6).

I note that the expansion of the appeal beyond the initial appeal submission in not permitted by reference to Article 27(3) of the Building Control Regulations 1997 (as amended) and therefore the scope of this appeal is limited to the consideration of Conditions 2 and 6.

#### 6.2.2. Scope of the Fire Safety Certificate Application

The BCA included the words “*outside the scope of this application*” in each of Condition 2 and 6. The Appellant submits on appeal that the BCA is not empowered by Building Control Regulations to attach conditions to a Grant of Fire Safety Certificate regarding matters outside the scope of the application and that was the primary case put forward in the initial appeal submission. In their response to the appeal the BCA note that there was a previous Grant of Fire Safety Certificate, that existing drawings submitted with the application under appeal did not reflect the layout approved in the previous application and that therefore they had to include Conditions 2 and 6 to cover the issues arising from the differences between the two (previously approved: FA234/96 vs application under appeal: FSC2510502DC).

Article 17(1) of the Building Control Regulations 1997 (as amended) empowers the BCA to grant a fire safety certificate application with or without conditions. The ‘Framework for Building Control Authorities 2016’ states:

*The BCA may “grant the certificate with conditions and issue notice in writing of the decision and include in the notification the reason for each condition (stating the relevance to the Part B requirement and explaining clearly why the condition is necessary)” and*

*“Reasons for conditions, which should be necessary and relevant, should be clearly stated and should be specific to the development.”*

I would therefore agree with the Appellant on this point, that the BCA is not empowered by Building Control Regulations to attach conditions that do not have relevance to the Part B requirement. However that does bring up a related question regarding whether or not the matters covered by Conditions 2 and 6 should have been considered as within the scope of the application / relevant to the Part B requirements.

The Fire Safety Certificate Application subject to this appeal is for a change of use, from residential, to office at third floor level of the building. The basement, ground, first and second floor levels already being in office use. Both the BCA and the Applicant appear to have assumed that the scope of the application is confined to the change of use at third floor level only. However, in my opinion, the change of use at third floor level cannot be viewed in isolation given that the safety of the occupants

at that level relies entirely on infrastructure (stairs/lobbies/exits) located in the rest of the building.

Article 13 of Building Regulations 1997 (as amended) states that *“where a change use regards a building takes place”*, certain provisions of Building Regulations, including Part B, *“shall apply to the building”* (i.e. the entire building) and works necessary to comply (with Part B) should be carried out in accordance with Article 11.

Article 11 of Building Regulations 1997 (as amended) state that the regulations apply to *“every part of a building effected by works”*, *“but only to the extent of prohibiting such works that would cause a new or greater contravention”*.

Therefore compliance with Part B is not limited to the point of exit from third floor. The third floor cannot be considered as compliant if its sole egress route is compromised by non-compliant conditions at lower levels. The "works" must technically and logically include the consideration of the adequacy of the means of escape from the third floor level to a final exit to a place of safety.

Also, according to the section drawing submitted with the Application under appeal this existing building has a height to top floor level, from street level, of circa 11.7m. Neither TGD-B 2006 (2020 reprint) nor TGD-2024 would permit a single stairs in an office building of this height (TGD-B height limit  $\leq 10\text{m}$  and TGD-B 2024  $\leq 11\text{m}$ ). In my opinion there is clearly a potential *“new or greater contravention”* regarding compliance with Part B in relation to the proposed office use that should have been addressed in the Fire Safety Certificate Application under appeal.

I would therefore conclude that the references to *“outside the scope of this application”* in Conditions 2 and 6 are incorrect and that the matters concerned were in fact within the scope of the application in so far as no new or greater contravention of Part B is permitted.

### 6.2.3. Condition 2

The effect of Condition 2 is that protected lobbies are required to the stairs at all levels, that the protected stairs enclosure has 60 minutes fire resistance and that the protected lobbies have 30 minute fire resistance.

In relation to the fire resistance requirements I note that Table A1 of TGD-B 2006 (2020 reprint) requires 30 minute fire resistance for a protected stairs. However the Applicant describes 60 minute fire resisting compartment walls enclosing the stairs at third floor level, possibly due to the previous commitments made in the 1996 Fire Safety Certificate Application (FA234/96) and the fact that these exist on site given the previous use at third floor level as flats. The requirement for protected lobbies to have 30 minutes fire resistance is in line with Table A1 of TGD-B. Given that the fire resistance requirements in Condition 2 appear to be in line with those proposed in the application under appeal and with the previous Grant of Fire Safety Certificate I see no issue with same.

In relation to the requirement for protected lobbies the Appellant points out that the change of use from residential sleeping accommodation to office does greatly reduce the risk in this building and that is a fair point, a sleeping risk is being removed from the premises. However, it should not be overlooked that the proposal here appears to be the removal of protected lobbies, not the potential introduction of them. The 1996 Fire Safety Certificate Application (FA234/96) had protected lobbies at all floor levels and the Grant was issued on that basis. I can only assume that these protected lobbies have existed in the building for circa 29 years between 1996 and 2025. The supporting documents submitted with the Application under appeal are silent on the matter of the proposed removal of these protected lobbies. The floor plans submitted with the Application are annotated as *“AS PER PREVIOUSLY GRANTED : FSC reg ref 234/96”*, however that is incorrect as these floor plans do not show the previously approved lobby protection.

Section 1.3.8 of Technical Guidance Documents-B 2006 (2020 reprint) requires protected lobbies in buildings with 3 or more storeys. However in the Appeal submission the Appellant points out that 7.1.4.1.1 of TGD-B 2024 (reproduced below) now includes specific guidance in relation to *“the particular circumstances of a change of use to an existing building with a single stair, where an office becomes so used”* and does not require protected lobbies as long as certain criteria are in place.

#### **7.1.4.1.1 Offices**

In the particular circumstance of a material change of use to an existing building with a single stairway, where an office becomes so used, a lobby does not need to be provided to the stairway, if the following is satisfied:

- (a) There are no more than four storeys above ground; and
- (b) Self-closing fire doors are fitted with an automatic release mechanism; and
- (c) The total floor area of any floor does not exceed 250 m<sup>2</sup>; and
- (d) The fire alarm system is a minimum L1 system; and
- (e) An AOV has been provided to the stairway (see [Section 6](#)); and
- (f) The stairway does not directly connect with a basement.

If all the above are satisfied, the single stairway may be used as a circulation route.

This criteria will be examined in the table below:

Requirements of 7.1.4.1.1 of TGD-B 2024	Comments
a) there are no more than four storeys over ground level,	There are 4 storeys above ground level in this building. Therefore <b>compliant</b> with this item.
b) self-closing fire doors with an automatic release mechanisms,	The supporting documents submitted with the Application do not deal with this point. However the second appeal submission does state that self-closing fire doors will be provided but that automatic release mechanisms will not be provided due to issues providing wiring in protected structures. However this fails to acknowledge that there are wire-free (e.g. radio linked) automatic release mechanisms available that could have been fitted in this case without the need for wiring. Therefore, <b><u>non-compliant</u></b> with this item.
c) total floor area on any storey not more than 250m <sup>2</sup> ,	Floor areas are circa 100 – 118m <sup>2</sup> . Therefore <b>compliant</b> with this item.
d) fire detection and alarm system to be Category L1,	The Supporting Documents commit to a ‘Category L2 conventional system’. The second appeal submission does refer to a Category L1 air-sampling system however that was not committed to in the Fire Safety Certificate Application. Therefore, <b><u>non-compliant</u></b> with this item. It is noted that ‘Category L2’ is an incorrect categorisation, however Condition 7 covers this, and requires a Category “L2/L3X” Fire Detection and Alarm system.

<p>e) Automatically Opening Vent (AOV) to be provided over stairs and</p>	<p>The Supporting Documents submitted with the Application do not propose an AOV over the stairs. There appears to be a commitment to retain 1.5m<sup>2</sup> AOVs within the third floor offices which were committed to in the previous Grant of FSC for flats at that level. AOVs in office space at third floor level do nothing to vent smoke from the stairs (which may be originating at a lower level) and therefore I would not consider these to off-set the requirement for an AOV in the stairs. Condition 8 requires a 1.0m<sup>2</sup> AOV over the stairs. Therefore, the design will be <b>compliant</b> with this item.</p>
<p>f) the stairs does not directly connect with a basement.</p>	<p>The single stairs in this 5 storey building does directly connect to basement level. Therefore, <b><u>non-compliant</u></b> with this item.</p>

The table above demonstrated that the design, in receipt of a grant of a fire safety certificate application, is non-compliant with 3 of the 6 items under 7.1.4.1.1 in TGD-B 2024. While automatic hold open devices and a Category L1 Fire Detection and Alarm Systems could reasonably be provided, this existing building has a direct connection between the basement and the stairs. I note that the basement has a separate entrance and it may have been possible to block up the link between the basement and the stairs, however the Application is silent on this matter and also does not deal with the number of tenancies in the building making it impossible to know if the link between the basement and the stairs could reasonably be blocked up to comply with 7.1.4.1.1 (f) of TGD—B 2024.

The Applicant also had the option of providing compensating measures in this existing building. Guidance on a range of measures that could have been considered is now contained in the guidance in 7.0.2.2 of TGD-B 2024 (reproduced below).

### 7.0.2.2 Compensating Measures

Where compensating fire safety measures are proposed, the nature and extent of such measures will depend on the circumstances in each particular case.

However, such measures could include some or all of the following:

- enhanced levels of life safety protection by automatic fire detection and alarm systems; or
- reduced travel distances; or
- enhanced building systems to aid evacuation; or
- enhanced smoke control measures; or
- pressurisation of stairway enclosures; or
- protection to escape routes from places of special fire risk; or
- enhanced performance of fire doors; or
- additional structural fire protection measures, such as increased levels of compartmentation of the building (see [Section 3](#)); or
- automatic fire suppression and extinguishing systems; or
- significantly increased room heights; or
- additional facilities for firefighting, e.g. dry risers.

This list is neither exhaustive nor in any order of preference. It is indicative of the range of options that may be considered.

It is noted that the BCAs reference to the protected stairs being enclosed in 60 minute fire resisting construction may well have been considered by them as 'additional structural fire protection measures' in partial compensation to the excess in height of the top floor in this building (11.7m existing versus 10m permitted in TGD-B 2006-2020 reprint). Also the Applicants proposal to enclose the stairs in compartment walls may well have been considered by the BCA as compensatory under 'increased levels of compartmentation'.

In summary I would agree with the BCA on the principles behind Condition 2 regarding the need for protected lobbies in this case. Having said that I do think that the wording of Condition 2 is excessively prescriptive going so far as to restrict the use of certain rooms in an attempt to turn them into protected lobbies. There are many ways to create protected lobbies and, in my opinion, once the requirement for protected lobbies is established the implementation of them into the design should, at least initially, be left to the architectural designers of the works.

Condition 2 (j) refers to a store room opening in the stairs at second floor level and I note that the requirement for lobby protection will equally apply between this storeroom and the stairs.

Also, I note that 1.3.8.4 of TGD-B 2006 (2020 reprint) requires that a lobby between a basement and a stairs be ventilated by means of permanent openings to the open air having an area not less than 0.05m<sup>2</sup>. TGD-B 2024 now also permits a mechanical equivalent to a permanent vent. This ventilation requirement does not appear to have been considered in the Fire Safety Certificate Application under appeal and should therefore feature in any amended wording of Condition 2.

My conclusion is that Condition 2 should be retained, with amended wording to deal with the issues referred to in the assessment above.

#### 6.2.4. Condition 6

We have already determined, above, that the existing building was within the scope of this change of use Fire Safety Certificate Application but only in so far as that no new or greater contravention of Part B is permitted.

In the Application under appeal the following statements are made:

*“All structural elements have a minimum fire resistance of 30 minutes and 60 minutes fire escape stairs where indicated.”* and

*“All elements of structure to have minimum of 60 minutes fire resistance”.*

These statements contradict each other, i.e. 30 minutes versus 60 minutes. The BCA state that they have included Condition 6 due to these contradictory commitments.

The Applicant appears to have proposed that the stairs be enclosed in compartment walls (i.e. a protected shaft). As noted above this is possibly due to the previous commitments made in the 1996 Fire Safety Certificate Application (FA234/96) and the fact that these exist on site given the previous use at third floor level as flats.

Therefore, in my opinion, the elements of structure within the scope of the application under appeal would be the third floor level, the enclosures of the protected stair shaft and their supporting structure (such as loadbearing walls). Other existing elements of structure are outside the scope of this application.

In summary, given the contradictory statements made in the Fire Safety Certificate Application, I would agree with the BCA regarding the need for Condition 6. The wording however does need to be amended to reflect only elements of structure within the scope of the application and their supporting elements.

My conclusion is that Condition 6 should be retained, with amended wording to deal with the issues referred to in the assessment above.

## **7.0 Recommendation**

Having regard to the above assessment it is recommended that the Appeal be refused and that the Building Control Authority be directed to amend Conditions 2 and 6 for the reasons and considerations set out below.

## **8.0 Reasons and Considerations**

8.1. Having regard to the statutory and support documents submitted with the Fire Safety Certificate Application, the documents submitted by the Appellant as part of this appeal, provision of a basement and four upper storeys opening off the single stairs in 14 Herbert Street, Dublin 2, to the concept of 'no new or greater contravention' under Article 11 of Building Control Regulation 1997 (as amended), to the guidance provided in Section 1.3.8 (Protected Lobbies and Corridors to Escape Stairways) of Technical Guidance Documents-B 2006 (2020 reprint), and the guidance provided in 7.1.4.1.1. of Technical Guidance Document-B 2024 (regarding a change of use to offices in an existing building) and to the report and recommendations of the reporting inspector, the Commission considered that Condition 2 and 6 as originally attached by the Building Control Authority to the Grant of Fire Safety Certificate were necessary to satisfy the requirements of Regulation B1 and B3 of Part B (Fire) of the Second Schedule of the Building Regulations. The Commission concluded in respect of this condition that it had not been demonstrated by the Appellant in the Fire Safety Certificate Application or appeal documentation that the removal of these Conditions would be warranted. The Commission was therefore satisfied to attach Condition 2 and 6 with amendments as recommended by the reporting inspector.

## 9.0 Conditions

Should the Commission decide to refuse the appeal, the following amended wording of Conditions 2 and 6 is recommended.

### **Condition 2:**

The single stairs in this building serves five floor levels (four storeys over basement) and shall be protected from fire by all of the following:

- i) The protected stairs enclosure shall be a minimum of 60 minute fire resistance.
- ii) Protected lobbies of minimum 30 minute fire resisting construction shall be provided to separate the stairs enclosure from all accommodation (excluding sanitary accommodation or washrooms) at basement, ground, first and second floor levels.
- iii) Any storerooms opening off the stairs shall be enclosed in minimum 30 minute fire resisting construction and be separated from the stairs by a 30 minute fire resisting protected lobby.
- iv) Doors in the protected lobbies and stairs enclosure shall be self-closing FS30S rated fire doorsets.
- v) The protected lobby between the stairs and basement level shall be provided with a permanent vent of 0.05m<sup>2</sup>, or a mechanical equivalent.

### **Reason for Condition 2:**

*In order to comply with Regulation B1 of Part B (Fire) of the Second Schedule to the Building Regulations 1997 (as amended).*

### **Condition 6:**

Elements of structure, within the scope of this application, and their supporting structure shall achieve a minimum of 60 minutes fire resistance.

### **Reason for Condition 6:**

*In order to Comply with Regulation B3 of Part B (Fire) of the Second Schedule to the Building Regulations 1997 (as amended).*

## 10.0 Sign off

I confirm that this report represents my professional assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Colin Barden

BEng (Hons) (Fire Eng.), MSc (Fire Eng.), CEng MIEI

24/11/2025