

An
Coimisiún
Pleanála

FSC Report

ACP-323254-25

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

Appeal against Condition 6

Development Description

The Coast, Block B, Woodbrook
Avenue, Woodbrook, Co. Dublin

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

FSC2406786DR/7DN

Appellant

Mr. Joseph O'Reilly, Aeval Ltd

Appellant's Agent

Jensen Hughes

Building Control Authority:

Dun-Laoghaire Rathdown County
Council

Inspector

Mr. Bryan Dunne

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1.0 Introduction

- 1.1. The application is for the construction of a seven-storey apartment building (Block B) at Woodbrook, Co. Dublin.
- 1.2. The application made to the Building Control Authority (BCA) was for a 7 Day Notice application.
- 1.3. A decision was made by the BCA to grant a Fire Safety Certificate (FSC) with 17 No. conditions, of which, only Condition 6 is being appealed.

Condition 6

The passenger lifts shall either:

- i. Be accessed from within the protected stairs; or,*
- ii. If accessed via the ventilated corridors serving the apartments, be provided with a 60-minute rated fire and smoke curtain in front of the lift landing doors at each floor level. The lift curtain located on the fire floor shall descend automatically in the event of smoke detector activation in that floors ventilated corridor(s). The lift shall return to ground floor on fire alarm activation except in the event of fire alarm activation at ground floor whereby the lift shall return to first floor. For clarity, only the lift curtain located on the fire floor shall descend on smoke detector activation.*

Reason: *to ensure compliance with Part B of the second to schedule of the building regulations 1997 to 2024*

2.0 Information Considered

- 2.1 The information considered in this appeal comprised the following:
 - An Coimisiún Pleanála Case No. 323254-25
 - Fire Safety Certificate application – FSC2406786DR/7DN for the construction of 3No. Blocks (A, B and C). Block B is a seven-storey apartment building they includes various ancillary rooms such as bike stores at ground level.

- A copy of the original application submitted to the BCMS system on the 23/09/2024
- A copy of the additional information uploaded by the Appellant to the BCMS system on the 25/09/2024
- Revised information #1 request by the BCA on the 18/11/2025
- A copy of the additional information uploaded by the Appellant to the BCMS system on the 13/01/2025
- Revised information #2 request by the BCA on the 27/01/2025
- A copy of the additional information uploaded by the Appellant to the BCMS system on the 02/05/2025

3.0 Relevant History/Cases

I am not aware of any relevant Building Control history relating to this appeal site. There was no documentation of any previous Fire Safety Certificate (FSC), Revised FSC, Regularisation FSC or any dispensation/relaxation of the Building Regulations (relating to this site) included in the file being reviewed.

NOTE: A previously approved FSC (FSC2406804DR/7DN) was provided as part of this file to review. The application wasn't deemed relevant as it was for a separate building not connected to this appeal.

4.0 Appellant's Case

4.1 The application relates to the construction of a new seven storey apartment block (Block B) at Woodbrook, Co. Dublin, with ancillary rooms at ground level. The building consists of 4 separate Cores (1 - 4), with each core served by a single stair and a passenger lift which opens into the common corridor at all levels.

4.2 The reason given by the BCA for requiring a 60-minute rated fire and smoke curtain in front of the lift landing doors at each floor level was to comply with Part B of the Building Regulations.

4.3 The basis of compliance for this application was TGD B 2006 + A1:2020 (TGD B) and Sections 1, 3 & 5 of BS5588: Part 1: 2004.

4.4 The appellant divides their appeal into six main headings:

- 4.4.1 Construction of Lift Well
- 4.4.2 Protection of the Lift Shaft
- 4.4.3 Horizontal Means of Escape in Common Parts of Flats
- 4.4.4 Enhancement of Life Safety Provision
- 4.4.5 Inconsistency with other Residential Block Design
- 4.4.6 Conclusion

4.4.1 Construction of Lift Well

Reference is made by the appellant to both Sections 1.4.9.2 of TGD B (Figure 1A) and Clause 18.4.2 (a) of BS5588: Part 1, (Figure 2) below:

<p>Guidance on the necessary measures is given in BS 5588: Part 8 : 1988.</p> <p>1.4.9.2 Fire protection of lift installations generally - Because lifts by their nature connect floors, there is the possibility that they may prejudice escape routes. To safeguard against this, the following provisions in the paragraphs below should be met.</p> <p>Lifts, which rise within a large volume such as a mall or atrium, and do not have a conventional lift-well, may be at risk if they run through a smoke reservoir. In these cases care is needed to maintain the integrity of any smoke reservoir, and protect the occupants of the lift.</p>	<p>construction if they are sited such as to prejudice the means of escape. A lift well connecting different compartments should form a protected shaft (see Section B3, 3.2).</p>
<p>A</p> <p>Lift wells should be either contained within the enclosures of a protected stairway, or be enclosed throughout their height with fire-resisting</p>	<p>B</p> <p>Lifts should be approached only by way of a protected lobby (or protected corridor) in basements, or in any storey that contains high fire risk areas and where the lift also delivers directly into corridors serving sleeping accommodation. Examples of high fire risk areas in this context are kitchens, lounges and stores. In buildings with any storey at a height greater than 20 m, lifts should be approached by way of a protected lobby (see 1.3.8).</p> <p>A lift should not be continued down to serve any basement storey if it is in a building (or part of a building) served by only one escape stairway, or within the enclosures to an escape stairway which is terminated at ground level.</p>

FIGURE 1

18.4.2 Recommendations

The following recommendations are applicable.

- a) Lift wells (other than within a protected stairway) should be enclosed throughout their height with fire-resisting construction.
- b) Service shafts and other vertical ducts should be enclosed throughout their height with fire-resisting construction. Service ducts should comply with BS 8313 and ventilation and air conditioning duct-work should comply with BS 5588-9.

FIGURE 2

The appellant makes the point that the lifts shafts proposed follow the requirements above and in Tables A1 and A2 of TGD B (Figures 3 & 4 below), in that they are designed to achieve 60-minute fire resisting compartment construction.

Table A1 Specific provisions of test for fire resistance of elements of structure, etc.					
Part of building	Minimum provisions when tested to the relevant (7) European standard (minutes)	Minimum provisions when tested to relevant parts of BS 476 (1) (minutes)			Method of exposure
		Loadbearing capacity (2)	Integrity	Insulation	
7. Compartment wall	REI*	*	*	*	each side separately

FIGURE 3

Table A2 Minimum periods of fire resistance for elements of structure						
Purpose group of buildings	Minimum period (minutes) for elements of Structure in a -					
	Basement storey # (including floor over)		Ground or upper storey			
	Depth (3) (m) of lowest basement		Height (3) (m) of top storey in building or of separated part			
	more than 10	not more than 10	not more than 5	not more than 20	not more than 30	more than 30
I. Residential (Domestic)						
- Houses	-	30*	30*	30*	-	-
- Flats and maisonettes	90	60	30*	60**	90**	120**

FIGURE 4

In addition, they highlight that the lift landing doors being provided will achieve an FD60 rating in line with Table B1 of TGD B, where restricted smoke leakage is not required (see Figure 5 below).

<i>Table B1</i> Provisions for fire doors		
Position of door	Minimum fire resistance in terms of integrity (minutes) See notes (1 to 5) when tested to	
	European	National
1. Within a separating wall	E *Sa (min. 60)	FD *S (min. 60)
2. Within a compartment wall –		
(a)		
(i) if it separates a flat (other than an open plan flat), or maisonette, from a space in common use:	E30 S _a	FD 30S
(ii) if it separates an open plan flat from a space in common use:	E *S _a	FD *S
(b) enclosing a protected shaft forming a stairway situated wholly or partly above the adjoining ground in a building used for flats, other residential, assembly and recreation or office purposes,	E30 S _a	FD 30S
(c) enclosing a protected shaft forming a stairway not described in (b) above,	E + S _a (min 30)	FD + S (min. 30)
(d) not described in (a), (b) or (c) above	E* (see Note 5)	FD* (see Note 5)

FIGURE 5

4.4.2 Protection of the Lift Shaft

The appellant emphasizes that in accordance with Section 1.4.9.2 of TGD B (Figure 1B above), as the lifts serve sleeping accommodation they will be approached by way of a protected corridor/lobby. In addition, each protected corridor/lobby will be ventilated by way of a natural smoke shaft designed in accordance with Section 1.7.3 of TGD B and open automatically upon smoke detector activation in the protected corridor/lobby ensuring, as far as reasonably practicable, that the space remains relatively free from smoke.

It is for the above reasons the appellant maintains that when considering compliance with Section 1.4.9.2 of TGD B the provisions being proposed exceed those required for both the shaft protection and associated escape routes.

4.4.3 Horizontal Means of Escape in Common Parts of Flats

The appellant argues that their design is in line with the recommendations of TGD B and BS5588: Part 1 in that:

- Every flat is sprinkler protected which allows for the maximum travel distance in the common corridor to be extended to 15m, and that
- Each common corridor is provided with a smoke control system

In particular, reference is made to diagrams Figure 12 (b) and (c) of BS5588: Part 1 which shows the lift shaft opening directly into a ventilated lobby/corridor without the need for any additional provisions (Figure 6 below).

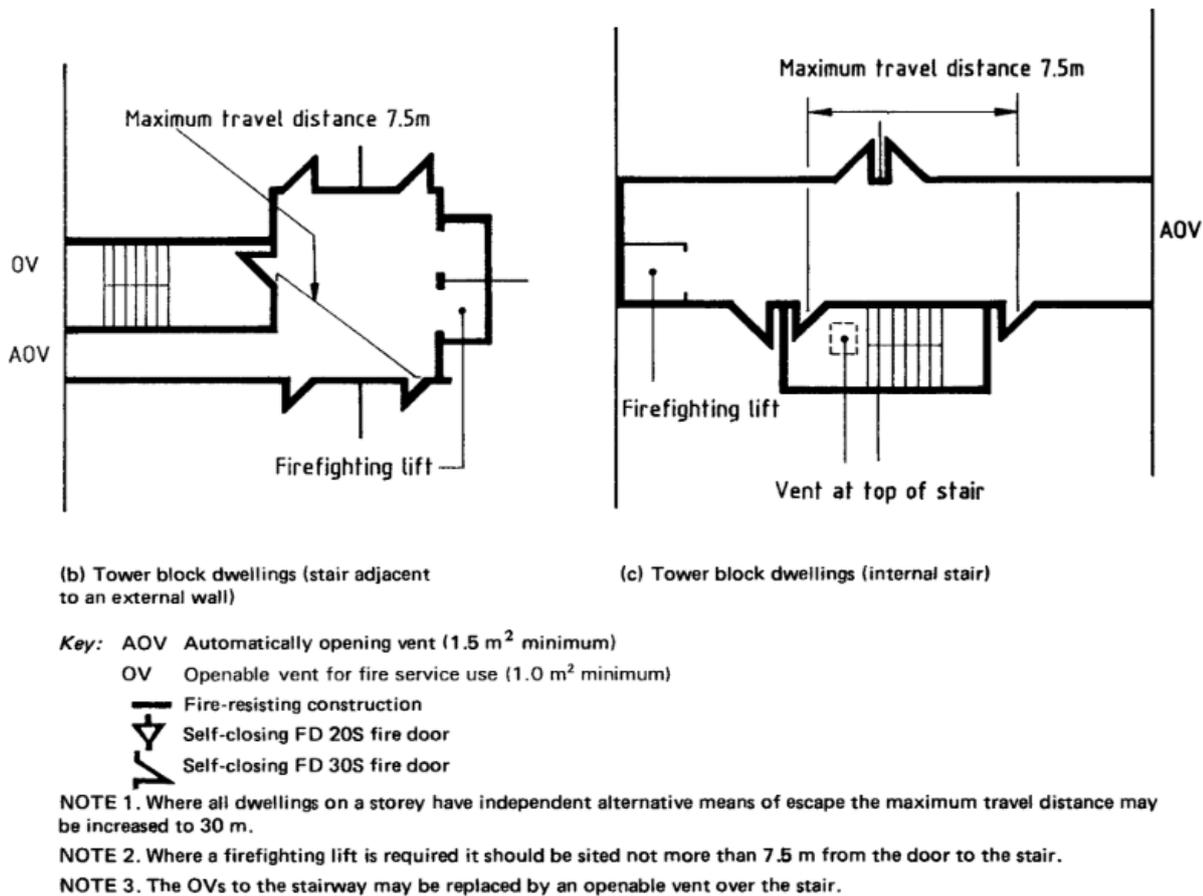


Figure 12 — Common escape routes in single stair buildings more than 11 m in height

FIGURE 6

The argument is made that the lifts in the proposed development are not firefighting lifts but that even if they were (as per Figure 6 above), there would be no requirement for the lift landing doors to have any smoke leakage rating, and the lifts (in their view) could open directly into a shared common corridor.

4.4.4 Enhancement of Life Safety Provision

The appellant highlights the fact the provision of residential sprinklers (in both the apartments and common corridors) will:

- Control the fire size and limit fire spread by wetting adjacent combustibles

- Reduce the smoke temperature to between 100degC – 200degC in the vicinity of the fire and below 68degC (the sprinkler activation temperature) remote from the fire
- Reduce the temperature and toxicity of the smoke produced

They reference the experiments undertaken by Bennetts & Thomas, 2002 which demonstrated that sprinklers are effective in extinguishing or confining fire spread to the room of origin or within a large compartment to the sprinklered area. In addition, they provide a summary of statistics taken from the BRE Project Report: Effectiveness of sprinklers in residential premises, which shows the benefits sprinkler systems provide in terms of life safety:

• Reduction in the number of deaths	70%	± 15%
• Reduction in the number of injuries	30%	± 15%
• Reduction in the number of rescues required	35% (flats 50%)	± 15%
• Reduction in the average property damage	50%	± 15%

FIGURE 7

They note that the presence of sprinklers will control fire growth and reduce the amount (and temperature) of smoke produced thereby providing more time for occupants to escape.

4.4.5 Inconsistency with other Residential Block Design

The appellant contends that this condition is unusual for residential apartment buildings across the country including within Dublin and references two similar Fire Safety Certificates which were granted without this condition:

- Block D (Ref No. FSC2305041DR/7DN) and
- Block 60 (Ref No. FSC2300631DR/7DN)

4.4.6 Conclusion

For the reasons set out above the appellant is of the opinion that due to the level of fire safety enhancements being proposed in this application it is not necessary to either install fire rated smoke curtains in front of the lift landing doors at each level, or have the lift accessed from within the protected stair. The main key points they put forward are:

- the proposed lift shaft complies with TGD B and BS5588 Part 1
- the level of smoke ventilation being provided within the common corridors is in line with current guidance
- the provision of sprinklers within the development (with the common corridors included)
- precedent set in other residential blocks on the same site where this condition was not attached.

It is for the above reasons that the appellant seeks the removal of Condition 6.

5.0 Building Control Authority Case

5.1 Dublin Fire Brigade's Review of ACP Appeal

- The Building Control Authority (BCA) open their rebuttal with an overview of the development and summary timeline of the application. The format of their report addresses each of the items raised by the appellant in turn.
- They emphasise the fact that the lifts in Figure 12 of BS5588 Part 1 are identified as firefighting lifts and as the proposed lifts in this block are not firefighting lifts this figure is not applicable. In addition, the case is made that even if the lifts were firefighting lifts the arrangement in Figure 12 (of Part 1) where the lifts open directly into a shared common corridor would not be acceptable. They point to Section 5.3.2 of TGD B which they say supersedes Figure 12 and recommends “a *firefighting lobby should be provided*” whereby “*there should not be direct access to a flat or ancillary accommodation from a firefighting lobby*” and a “*firefighting lift should be approached through a firefighting lobby*”.
- The BCA draws attention to the following statement made by the appellant: “*as the Woodbrook Block B design not only complies with the above guidance but also incorporates sprinklers, a significantly higher standard of safety is achieved*”. They

are of the opinion that sprinklers are not being proposed as an additional fire safety measure but are a requirement due to the building's layout and design. Sprinkler systems are required under TGD B in this instance anyway as the travel distances in ventilated corridors are over 7.5m and the apartments have an open plan arrangement.

- The BCA maintains that the statement made by the appellant that this block “*is similar*” to Blocks D & 60 which are on the same site and were granted without this condition is incorrect and provides details including snippets of the FSC floor plans to emphasise their point. In particular, they note:
 - The lift shaft in Block D opens into a lift lobby with no apartments opening into it
 - The lift shaft in Block 60 either opens into a vented lift lobby serving only one apartment per floor with a short travel distance <5.5m (ground, first and third floors), or alternatively it opens into a vented corridor which is provided with an alternative means of escape allowing occupants to turn their back on the lift (second floor)
 - Blocks D & 60 are provided with protected entrance halls within all apartments rather than open plan apartments as proposed in block B, and
 - Blocks D & 60 are provided with shorter travel distances <7.5m in their vented lift lobbies/corridors compared to travel distances up to 15m in Block B
- The BCA contend that there may be a greater risk of smoke from a fire in Block B entering the common corridor, as unlike Blocks D & 60, Block B apartments are not provided with protected entrance halls and as such there is only one fire door separating the apartment from the common corridor.

5.2 Dublin Fire Brigade's Reasons for Condition 6

The BCA **sight** the following reasons for the inclusion of Condition 6 on the granted FSC:

- Section 1.4.9.2 of TGD B recommends “*lift wells should be either contained within the enclosures of a protected stairway, or be enclosed throughout their height with fire-resisting construction if they are sited such as to prejudice the means of*

escape". They contend that with common corridor travel distances in some of the cores in Block B exceed 7.5m and are of the opinion that even with the provision of sprinklered apartments it is important to consider the potential impact the lift opening directly into the common corridors will have. In particular, they draw attention to the proposed design where the lift doors are located directly adjacent to the entrance to the stair which will result in occupants having to escape towards/pass by the lift to access the stair.

- While they recognise the benefit sprinklers have, they argue that there is a potential risk smoke could spill out into the common corridor, enter the lift shaft and spread to upper floors.
- The fact that the venting of the fire affected corridor only opens the vent on that floor could mean that any smoke that enters this corridor and spreads to an upper floor common corridor via the lift shaft has no way of been vented (as the vent is already open on the fire floor beneath) and could hamper the means of escape of occupants on a non-fire floor.

It is for the above reasons that the BCA attached Condition 6.

6.0 Appellants Response to the Fire Officers Report

- The appellant claims that the lift well complies with the requirements of Section 1.4.9.2 of TGD B in that they are enclosed throughout their height with 60-minute fire-resisting construction.
- They contend that the approach being provided (smoke ventilation and sprinklers), in their view, will be effective in protecting the escape route by reducing the amount of smoke production through suppression and enhancing conditions by smoke extraction from the common corridor thus limitation of the potential for smoke spread into and through the lift shaft.
- While they agree that Figures 12(b) & (c) refer to firefighting lifts, they make the point that there are no other figures that show the proposed design and as such these figures were the most appropriate figures to reference. The appellant argues that even though firefighting lifts are not required the guidance given in Section 7.2.3 of BS5588 Part 5 clearly distinguishes that common corridors in residential

buildings are sufficient without incorporating additional provisions for fire protection to shafts quoting:

“In residential buildings designed in accordance with BS5588 Part 1, protected ventilated common corridors or lobbies are expected to protect the firefighting stairs without the need to provide additional dedicated ventilated lobbies”

- In relation to the requirement to sprinkler protect common corridors in residential developments, the appellant points out that the 2024 revision of TGD B clarifies areas which were previously open to interpretation under the 2020 version. They contend that to comply with the requirements of TGD B it is not necessary to sprinkler protect the common corridors and are of the view that providing them in this instance would be considered an enhancement to the building fire safety requirements which should be taken into account when assessing the conditions within the ventilated lobbies.
- While they acknowledge that in Block D the lift opens into a ventilator corridor that does not serve any apartments, they state that in Block 60 the lift configuration is similar to that in Block B in that there is no separation between the lift shaft and the sleeping accommodation (NOTE – for reference, in Block 6 on three of the four floors there is only one apartment opening into the ventilated lift lobby). The argument is made that the case put forward by the BCA for not putting the same condition on this block is flawed as:
 - Travel distance does not directly affect potential for smoke spread to/within a lift shaft
 - The distances between the apartment entrance door & the lift and between the lift and the stairs door are comparable in both Block B and Block 60
 - The number of apartments and locations of the entrance door are not significant as the fundamental fire strategy design for an apartment building is based on limiting a fire to a single compartment

Furthermore, they state that, within TGD B and BS5588 Part 1, there are no exemptions to the number of units that can open into a common corridor, nor any distance thresholds that would necessitate smoke curtains being provided to lift

landing doors. The appellant contends that the lift location and configurations in Block 60 and Block D should be considered equivalent from a fire safety perspective.

- In response to the statement made by the BCA;

“... all apartments are provided with a protected entrance hallway which will help to protect the lift from a fire in an apartment and therefore reduce the potential risk of smoke spread between floors feared the lift”

they maintain that;

- Internal doors within protected entrance halls have an FD30 classification and do not have a smoke rating. They therefore cannot be relied upon to limit smoke spread from the ignition source to the apartment entrance door
- The doors in an apartment with a protected entrance hall will fail sooner than the FD60s entrance door provided in Block B
- The introduction of sprinklers within the apartment will delay the onset of hazardous conditions both within the apartments and common areas

The appellant is of the opinion that the BCA's reasoning for differentiating between Block 60 and Block B is based on a subjective risk assessment for these particular buildings rather than a clear code-based justification. Examples are provided of previously approved FSC's, designed by the appellant which they maintain had a similar approach adopted to Block B but did not receive the same condition. (NOTE: these FSC's were not provided for review).

- They reiterate the fact that the introduction of sprinklers in the common corridors is an enhancement to life safety and goes beyond the baseline code requirements.
- With the provision of natural smoke venting from the common corridors and the fact that the lift shaft will only have minor leakage around the doors, the appellant maintains that the natural smoke ventilation system will establish a significantly stronger pressure differential and air flow path ensuring that smoke is preferably drawn in to the smoke shaft rather than entering the lift shaft. In their view, while some limited smoke ingress into the lift shaft cannot be entirely ruled out, the combined effect of the natural smoke ventilation and sprinkler systems would ensure that any smoke reaching the upper levels via the lift shaft would be

insignificant and would not compromise the means of escape for occupants on the non-fire floors.

- In response to the point made by the BCA with regards the position of the kitchens in a number of apartments, the appellant states in their additional information submitted on the 13/01/2025 that the location of the cooking appliances was now indicated on the floor plans showing a 1.8m exclusion zone and that a 750mm escape width was being achieved within the apartments.

For the reasons outlined above the appellant is of the view that the inclusion of Condition 6 goes beyond the intend and scope of the guidance document and requests it be removed.

7.0 Assessment

7.1 De Novo assessment/appeal v conditions

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.

7.2 Content of Assessment

The focus of this appeal centres around the location of the lift and in particular the question as to whether or not lift landing doors are allowed to open directly into a common corridor which also serves sleeping accommodation. Having reviewed the documentation lodged by both parties as part of this appeal I have the following comments:

7.2.1 Lift Shaft

- Section 1.4.9.2 of Part B states that the lift well should either be contained within the enclosure to the protected stair or be enclosed throughout its height in fire-resisting construction. In this instance the lift well is not contained with the protected stair enclosure and the appellant has confirmed that it will be

enclosed throughout its entire height in construction achieving 60-minute fire resistance (load bearing capacity, integrity and insulation) complete with FD60 fire doors, thus complying with Section 1.4.9.2.

7.2.2 Lift Door Arrangement

- With regards Figures 12(b) & (c) of BS5588 Part 1, while I agree that there is no figure in this standard that reflects the design being proposed by the appellant, I would share a similar view to that of the BCA. The figures referenced in BS5599 Part 1 show firefighting lifts opening directly into the common corridor which would not be acceptable under Section 5.3.2 of TGD B. Diagram 33 of TGD B clearly shows that a building provided with a firefighting lift must opening into a dedicated firefighting lobby and not into a common corridor.

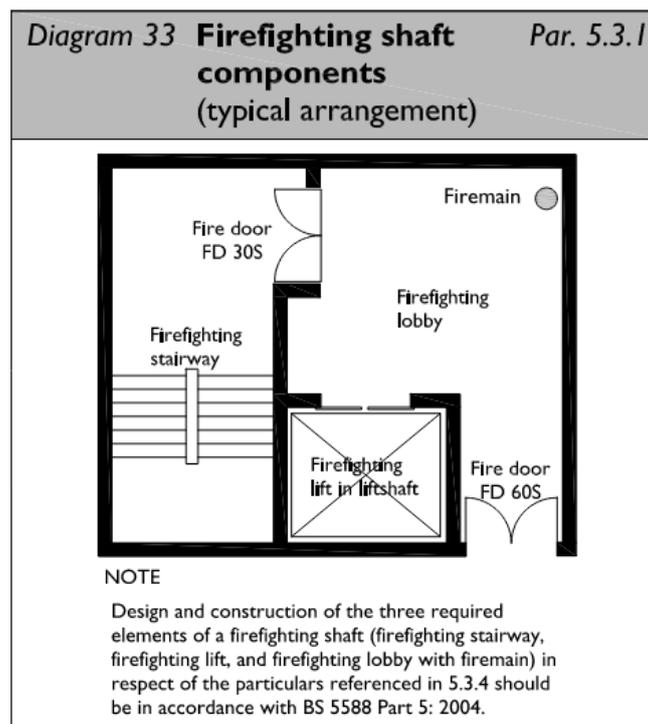


FIGURE 8

- Based on the information provided by the BCA in their report, I also disagree with the suggestion put forward by the appellant that lift arrangement being proposed in this application are similar to two other blocks on the same development (Block D & Block 60) where the claim is made that these blocks with granted FSC's "... have

lift shafts opening directly into the ventilated protected common corridor, similar to the layout of Block B”.

BLOCK D

The plans for Block D included in the BCA report clearly show that the lift opens into a protected lobby that has no apartments opening directly off it, see below.

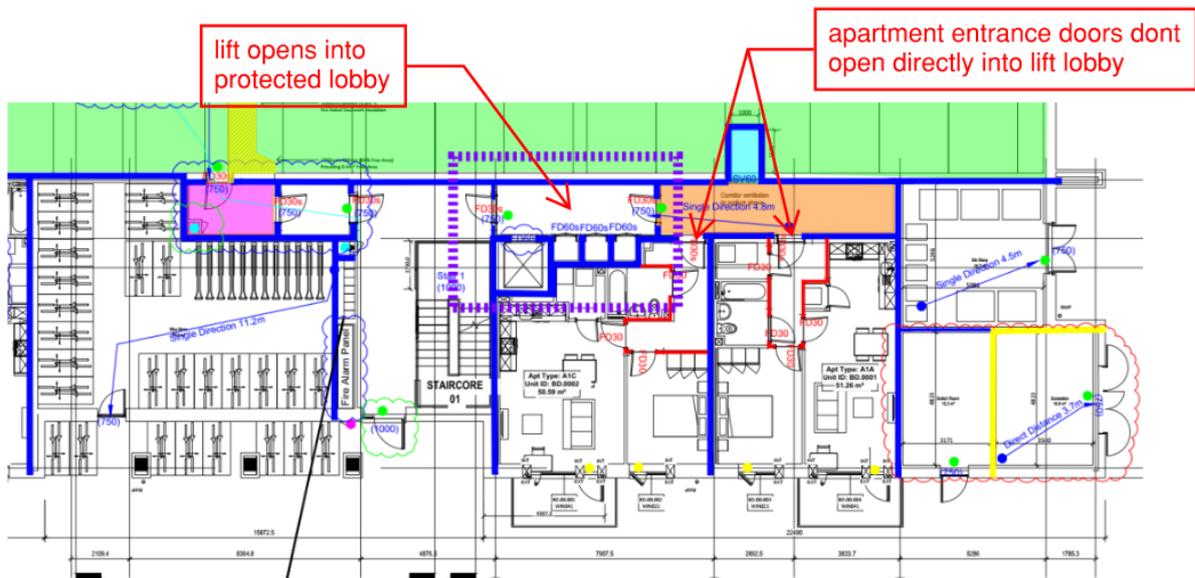


Fig.1: Block D, ground floor plan – lift accessed via lift lobby with no apartments opening into same

FIGURE 9

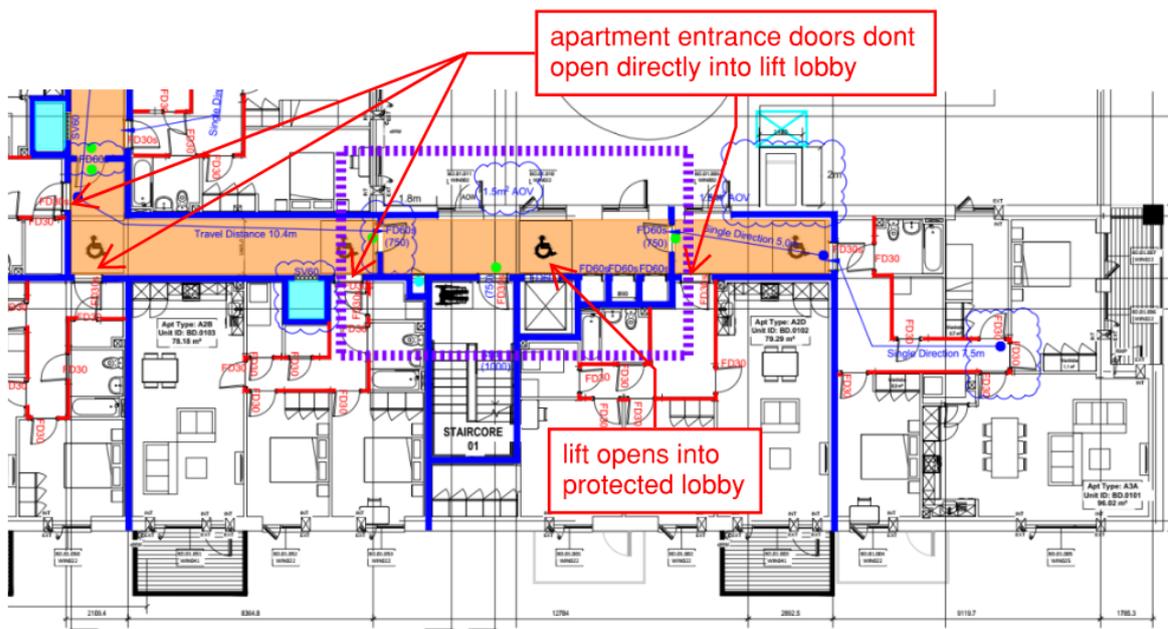


Fig.2: Block D, typical upper floor plan – lift accessed via lift lobby with no apartments opening into same

FIGURE 10

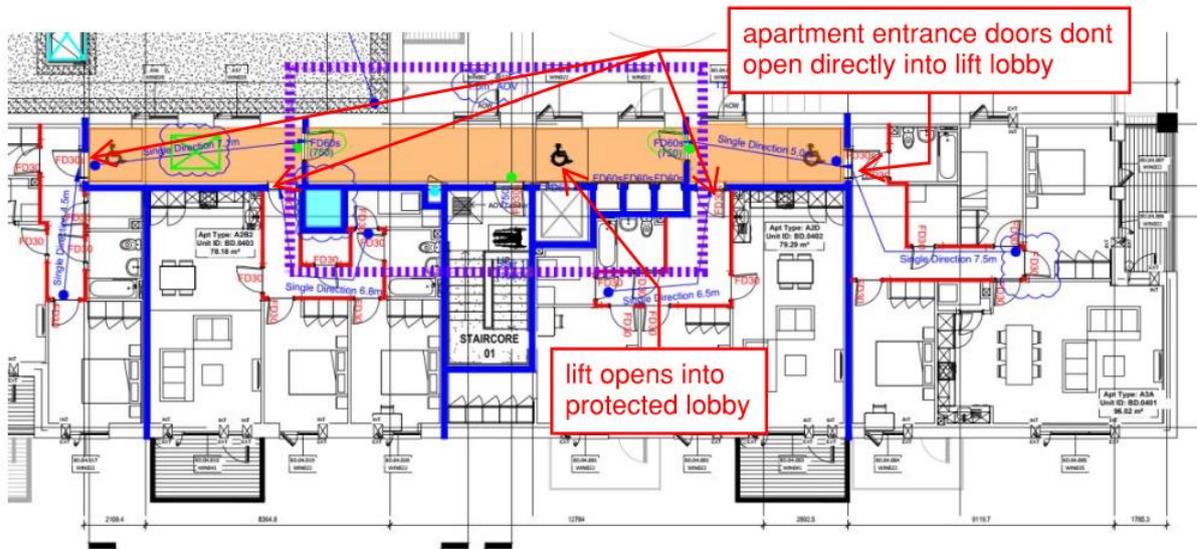


Fig.3: Block D, fourth floor plan – lift accessed via lift lobby with no apartments opening into same

FIGURE 11

As can be seen from Figures 9-11 above, the lift lobby arrangement in Block D layout bears no similarity to those being proposed in Block B.

Block 60

The plans included in the BCA report for Block 60, in my view, also differ to those in Block B as they show 1 No. apartment on the ground, first and third floors opening into the same lobby as the lift. The second floor has a completely different layout, as alternative means of escape is provide for evacuees on this floor.

Figure 12 below shows a typical floor layout approved for Block 60 which has the lift opening into a protected lift lobby shared with 1 No. apartment compared to Figure 13 for the proposed development which shows the lift opening into a lobby shared with 6 No. apartments. The differences between the layouts include shorter travel distances and the provision of protected entrance halls in Block 60.

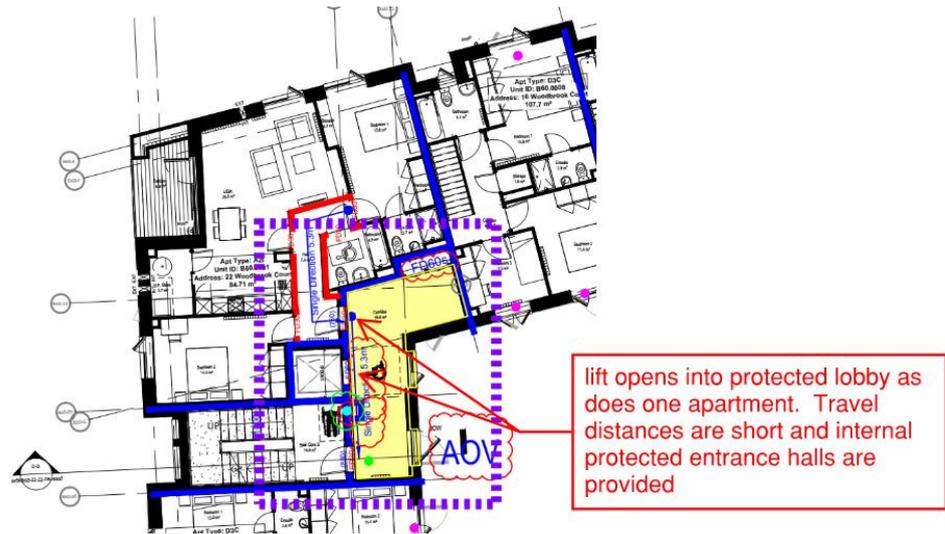


Fig.5: Block 60, first floor plan – lift accessed via vented lift lobby, one apartment and a short travel distance

FIGURE 12

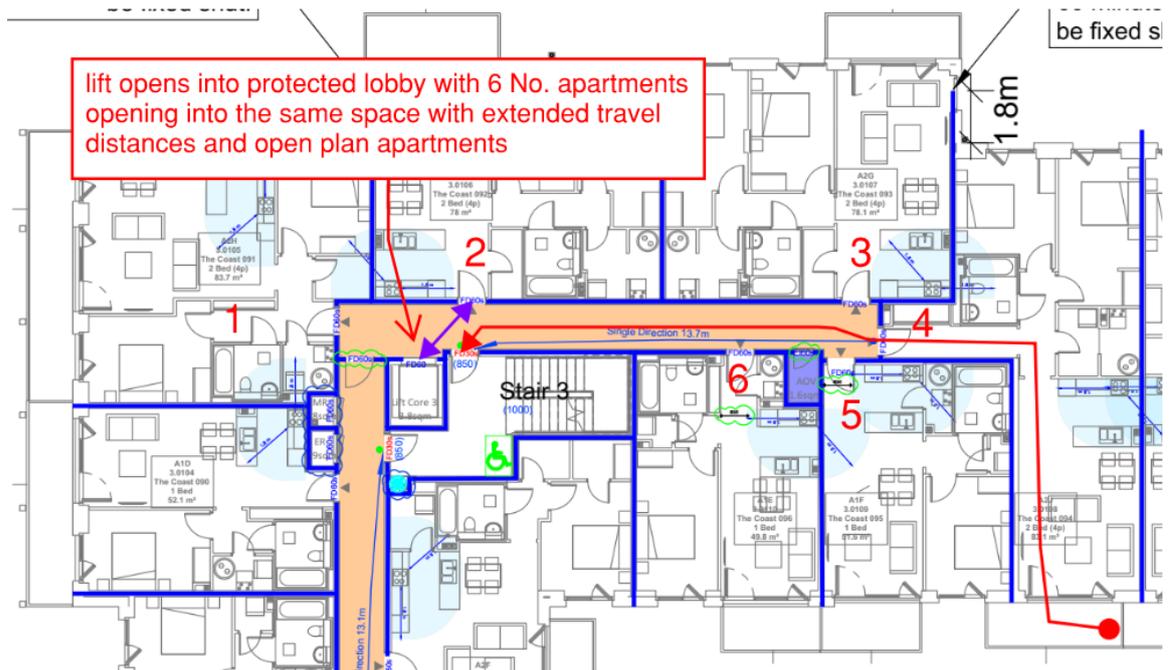


Fig.10: Block B, Core 3 – typical floor plan layout showing the close proximity between the lift door and stair

FIGURE 13

On the basis of the above, I would be of the view that the layouts of Block D and Block 60 are not similar to those proposed in Block B.

7.7.3 Sprinkler Provision (providing an enhanced level of fire protection)

In Issue 1 of their report dated the 23/09/2024 (submitted as part of the FSC application), the appellant only proposed sprinklering the apartments and **not** the common corridors, see Figure 14 below. Sprinklering apartments allows for extended travel distances in common corridors (Section 1.7.1 of TGD B) along with the provision of open plan apartments (Section 1.6.3 (a)), both of which are being provided in this development. The provision of sprinklers in the common corridors would, in my view, not have been required in order to comply with TGD B.

Submitted on 23-09-2024

B3.6 SPECIAL PROVISIONS

B3.6.1 Sprinklers - Within apartments

An automatic sprinkler system will be provided within the building. The sprinkler system will be designed in accordance with BS 9251: 2021: -

The system will have the following as minimum requirements:

- a minimum duration of operation of 60 minutes,
- a flow rate of 4 mm/min for single head operation, or 2.8 mm/min through each sprinkler operating simultaneously up to a maximum of two sprinklers in a single area of operation,
- a primary and an alternative power supply,
- a duty and standby pump, and
- an on-site water storage capacity, suitable to meet the flow requirements and duration of the system, but not less than 3 m³.

Isolation valves will be provided in accordance with BS 9251: 2021.

FIGURE 14

Following this submission the BCA requested additional information from the appellant. The exact details of this request is unknown as it was emailed directly from the Fire Officer to the appellant and a copy was not included in the ACP file. Following this additional information request the final revision of the FSC report (Issue 4), was submitted to the BCMS system on the 02/05/2025, see Figure 15 below. The text highlighted in 'GREEN' identifies the changes to the report from the previous vision. In this revision the appellant clearly identifies that the common corridors (which in their original submission were not going to be sprinklered), were now being covered. It is unclear, exactly what was on the additional information request emailed by the Fire Officer directly to the appellant. However, based on the response by the appellant and the condition attached to the Grant by the BCA, it would be logical to assumed, that the Fire Officer expressed their concerns associated with the lifts opening directly into the common corridor and the appellant, rather than introducing fire and smoke curtains over each lift, proposed extending the sprinkler system out into the common corridor

B3.6 SPECIAL PROVISIONS

B3.6.1 Sprinklers

An automatic sprinkler system will be provided within the building, including the common corridors, bulky storage & cleaner stores rooms. The sprinkler system will achieve a Category 4 performance and will be designed in accordance with BS 9251: 2021. The system will have the following as minimum requirements:

- ❑ a minimum duration of operation of 60 minutes,
- ❑ a flow rate of 4 mm/min for single head operation, or 2.8 mm/min through each sprinkler operating simultaneously up to a maximum of four sprinklers in a single area of operation,
- ❑ a primary and an alternative power supply,
- ❑ a duty and standby pump, and
- ❑ an on-site water storage capacity, suitable to meet the flow requirements and duration of the system, but not less than 3 m³.

Isolation valves will be provided outside each apartment entrance door, accessed from the common corridor, as outlined in BS: 9251: 2021.

FIGURE 15

8.0 Recommendation

Based on the information provided above I would be of the opinion that, enclosing the lift well throughout its height in fire resisting construction (as is proposed by the appellant) is in compliance with Section 1.4.9.2 of TGD B and the requirement to have it opening into the protected stairs is not necessary.

In relation to the extent of sprinkler coverage being provided, I would also agree with the appellant that the provisions of sprinklers in the common corridors are an enhancement of the fire protection systems in the building and are over and above what would generally be required to comply with Part B. On the basis that:

- a) the apartments are fitted with a comprehensive fire detection and alarm system (Grade D, LD1 in the apartments with an L3x system in the common areas) which will alert occupants of any fire incident at an early state
- b) escape from the apartment is designed such that occupants do not have to approach within 1.8m of the main kitchen cooking appliance
- c) each apartment is a 60-minute fire compartment with an FD60s hall door which will contain the fire to the one apartment for at least 60 minutes
- d) the apartments are sprinkler protected thus further ensure the fire doesn't grow beyond the confines of the apartment

- e) the common corridors are by their nature sterile with little or no combustibles in them to allow for fire spread
- f) pressure differentials created within the 1.5m² smoke shaft will more than likely ensure that smoke in the common corridor will more than likely vent up through the smoke shaft as opposed to narrow gap around the lift shaft
- g) the additional provision of sprinklers in the common corridors which would further cool any smoke or hot gases that might escape the apartment fire

For the reasons identified above, I would maintain that:

1. enclosing the lift well throughout its height in fire resisting construction and not having it open into the protected stair is code compliant
2. the provision of common corridor sprinklers are an additional fire safety enhancement measure, and
3. the amount of smoke that could enter the narrow gap around the lift shaft would be relatively low and not enough to hinder the means of escape of occupants on an upper floor.

9.0 Reasons and Considerations

Having regard to the original FSC application and appeal made, I am of the opinion that the appellant has demonstrated that there is no requirement for Condition 6.

Therefore, this condition as originally attached by the BCA to the Fire Safety Certificate is not necessary to meet the guidance set out in TGD B or accordingly to demonstrate compliance with Part B of the Second Schedule to the Building Regulations 1997, as amended and should be removed.

10.0 Conditions

N/A – on this occasion Condition 6 should just be removed.

11.0 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.

Bryan Dunne

MSc, BSc, Dip (Eng), CEng, MIEI, Eur Ing
20th January 2026