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Report 3028

**An Bord Pleanála Appeal regarding the Refusal by Dublin City Council
to grant of Fire Safety Certificate for first floor offices over existing
sports pavilion at National Sports Campus, Dublin 15**

Client: An Bord Pleanála,
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FAO: The Secretary

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BUILDING CONTROL ACT, 1990 – APPEAL

**FIRE SAFETY CERTIFICATE APPLICATION
FOR THE PROVISION OF FIRST FLOOR OFFICE ACCOMMODATION
ABOVE EXISTING GAA PAVILION
AT THE NATIONAL SPORTS CAMPUS, DUBLIN 15**

**APPEAL AGAINST THE REFUSAL TO GRANT A FIRE SAFETY CERTIFICATE
(REF. FSC/363/16) ON 8th JULY 2016**

AN BORD PLEANÁLA APPEAL REFERENCE FS06F.FS0524

Local Authority: Fingal County Council

Appellant: Gaelic Athletic Association c/o SSA Architects

RECOMMENDATION

It is recommended that this appeal be rejected. The Refusal of the Fire Safety Certificate should stand.

Reason

The proposed development does not comply with the design requirements of Part B1 of the Second Schedule to the Building Regulations 1997 to 2014.

Dr. Raymond J Connolly

BE, PhD, CEng, MIEI, MIFireE, MSFPE

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1.0 RELEVANT INFORMATION

- (i) Application for Fire Safety Certificate by Gaelic Athletic Association to Fingal County Council dated 8th March 2016, including Compliance Report CP172 Issue 3LC (dated February 2016) and drawings by SSA Architects.
- (ii) Notice of Decision to Refuse a Fire Safety Certificate (Register Reference 16/4043) by Fingal County Council in respect of Application No. FSC/363/16) issued on 8th July 2016.
- (iii) Letter of Additional Information from SSA Architects to Fingal County Council dated 24th March 2016.
- (iv) Email of Additional Information from SSA Architects to Fingal County Council dated 15th June 2016.
- (v) Letter of appeal from SSA Architects on behalf of Gaelic Athletic Association to An Bord Pleanála dated 28th July 2016.
- (vi) Fire Officer's Report sent by Fingal County Council to An Bord Pleanála dated 5th September 2016 outlining observations/comments by Fire Prevention Officer.

2. BACKGROUND

SSA Architects Associates on behalf of the Gaelic Athletic Association made an application to Fingal County Council for a Fire Safety Certificate for the first floor office extension of an existing previously approved single storey sports pavilion at the National Sports Campus, Dublin 15 under reference FA/16/4043. The Fire Safety Certificate was refused by Fingal County Council (under Decision Reference FSC/363/16) on 8th July 2016 because the development failed to meet the requirements of Part B1 of the Second Schedule to the Building Regulations, 1997 to 2014.

On 28th July 2016, SSA Architects appealed on behalf of the Gaelic Athletic Association against the refusal to grant the Fire Safety Certificate. This Refusal is subject of the current appeal.

3. REPRISE OF APPEAL (AS PRESENTED)

The subject works comprise the first floor office extension of a previously approved single storey GAA Pavilion at the National Sports Campus, Dublin 15. The existing and previously approved ground floor comprises a spectator viewing terrace, changing rooms and ancillary offices, meeting rooms, physio, gymnasium and canteen. The applicant proposed to install/fit-out offices (270 m²), a plant room (50 m²) and roof access at first floor level. The design occupancy level of first floor is 56 persons and it is proposed to be served by 2 no. protected escape stairways, each fitted with a disabled refuge.

Notwithstanding a preamble regarding a potential single stair design, the appellant contends that his proposed provision of 2 no. protected stair enclosures meets the requirements for compliance with Regulation B1. The appellant justifies his design as follows:-

- (i) The enlarged footprint of one protected stairway (which is also the main day-to-day access stair) reflects the presence of a ground level mustering area as opposed to space that may be used for combustible contents.
- (ii) The second escape stair is connected to fresh air by means of a protected passageway (enclosed in fire-resisting construction). The changing rooms opening onto this passageway are separated from same by protected lobbies. The passageway has exits at both ends.
- (iii) The subject passageway is fitted with a high level natural smoke ventilation system.

The Fire Authority contends that the design does not provide adequate means of escape for the following reasons:-

- (i) The travel distances arising at first floor level are such that both protected stairways are required to serve as storey exits.
- (ii) The ground floor passageway connecting the secondary escape stair to fresh air at ground floor level is not accepted as being a passageway in the meaning ascribed to same in Clause

1.3.6.3 of Technical guidance Document B in that it serves as a corridor to 8 no. rooms with a potential occupancy level of 195 persons.

- (iii) The 2 no. stairways serving first floor level are not adequately separated at ground floor level by imperforate construction as required by Section 1.3.6.4 of Technical Guidance Document B.

4. CONSIDERATION

The appellant has presented a design occupancy level at first floor of 56 no. persons. Accordingly Section 1.2.2.5 of Technical Guidance Document B requires not less than 2 no. escape routes to be available from first floor level and Section 1.3.3 permitting a single stairway does not apply in this case. Equally, the existence of either stair in isolation is insufficient to provide adequate escape from first floor without giving rise to excessive single direction travel distances. Both stairs therefore need to meet the requirements of Section 1.3.6 of Technical Guidance Document B to serve as escape stairways.

In addition to enclosure in fire-resisting construction, Technical Guidance Document B recommends that escape stairways:-

- (i) Discharge by way of a protected exit passageway to a final exit (Section 1.3.6.3)
- (ii) Be separated from each other by imperforate enclosure (Section 1.3.6.4)
- (iii) Be limited in terms of ground level reception area to a maximum of 10 m² (Section 1.3.6.5(c))

The appellant argues that the protected corridor serving the secondary stairway at ground level meets the requirements for a protected passageway on the basis that the changing rooms served by same are separated by fire-resisting lobbies and that there is natural smoke ventilation above the corridor. It is noted that the privacy lobbies being referenced by the appellant do not include the physiotherapy room, which is not fitted with a lobby.

The natural smoke ventilation system is not described in any quantitative manner as would permit consideration of any beneficial effects in a fire engineering sense, as might be necessary to demonstrate compliance.

The Fire Authority point out that the ground level changing rooms could deliver an occupancy demand of 195 persons into the ground floor corridor. This occupant demand exceeds that permitted to be served by a single exit and therefore the ground level corridor requires exits at both ends. Such a design inherently infers that persons will escape from the protected corridor

into the base of the main stairway thus forming an open connection between both spaces and in direct conflict with the recommendations and intent of Section 1.3.6.4 of Technical Guidance Document B. The appellant's reference to a possibility for further provision of lobbies between the protected corridor and the main stairway is not germane, as it comes after the event with respect to the Fire Authority's consideration of his application and equally it is not the role of the Board to design solutions by way of Conditions. In any event, the fact that the main stairway is on the main circulation route for the building (involving ongoing cross-circulation) and in particular because it serves as a second final exit route from the changing rooms would likely undermine any separation employed between the protected corridor and the stair.

The large base to the main stairway (serving as a mustering area and boot removal space) is vulnerable to the future inclusion of combustible materials. In addition, the collection of large numbers of persons (likely to be not less than 60 persons and possibly more) within an *c.*84 m² space within a protected stair enclosure does not meet the normal provisions for a protected escape route in terms of normal queuing movement. The use of the space for boot removal is of itself inappropriate to an emergency escape route.

The ground floor stair foyer also includes a 30 minutes fire-resisting glazed connection to the gymnasium. No further information is offered to justify why a 60 minutes fire-resisting rating is not proposed as would be normal for a protected stair enclosure.

No information is offered in connection with the proposed disabled refuges and the provision of an emergency voice communications systems therein.

5. CONCLUSION

It is recommended that this appeal be rejected. The Refusal of the Fire Safety Certificate should stand.

Reason

The proposed development does not comply with the design requirements of Part B1 of the Second Schedule to the Building Regulations 1997 to 2014.

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