

DISPENSATION DECISION READ WITH STAS CONDITIONS

ANNEX A

Regulation 9 Provisions on which dispensation is given	Decision	STAS Condition
<p>Technical Standard 2.2 Non Domestic</p> <p>Every <i>building</i>, which is divided into more than one area of <i>different occupation</i>, must be designed and <i>constructed</i> in such a way that in the event of an outbreak of fire within the <i>building</i>, fire and smoke are inhibited from spreading beyond the area of occupation where the fire originated.</p> <p>Guidance 2.2.4 Non-combustibility</p> <p>That every part of a separating wall or separating floor (other than a floor finish such as laminated flooring) should be of materials that are non-combustible.</p>	<p>Conditions of Dispensation</p> <p>Dispensation shall apply to the separating walls and floor between the restaurant and the caretaker/manager’s flat which shall be built in combustible materials subject to the following conditions:</p> <ol style="list-style-type: none"> 1. A fire detection and fire alarm system category L1 to BS5839: Part 1: 2013 (or current edition if amended) shall be provided throughout the building. 2. The separating walls shall be constructed to provide medium duration fire resistance with linings of low risk or non-combustible materials and shall not contain pipes, wires or other services. 3. The restaurant and flatted accommodation are to remain under the same ownership with flat used as accommodation for the caretaker/manager of the premises only. <p>Reason for Decision</p> <p>Given that the purpose of the residential accommodation is for supervision and security purposes (caretakers/mangers flat) and that the residents and staff of the restaurant will be trained and made familiar with the fire escape strategy of the building, it is considered that the conditions specified will provide an acceptable level of fire protection, early warning and means of escape in the event of fire.</p>	<p>That the specific site characteristics shall be assessed by the verifier in association with the Local Fire and Rescue service and approval granted based on this dispensation decision.</p>

Regulation 9 Provisions on which dispensation is given	Decision	STAS Condition
<p>Technical Standard 2.3 Non-Domestic</p> <p>Every <i>building</i> must be designed and <i>constructed</i> in such a way that in the event of an outbreak of fire within the <i>building</i>, the load-bearing capacity of the <i>building</i> will continue to function until all occupants have escaped, or been assisted to escape, from the <i>building</i> and any fire containment measures have been initiated.</p> <p>Guidance 2.3.2 Non-combustibility</p> <p>That where an element of a structure provides support to another element of structure of non-combustible construction (or a protected route of escape. See clause 2.0.6), the supporting element or structure should have the same duration fire resistance and also be constructed from materials which are non-combustible (see Annexe 2E).</p>	<p>Conditions of Dispensation</p> <p>Dispensation shall apply to the supporting structure of the caretaker/manager's accommodation which shall be built in combustible materials subject to the following conditions:</p> <ol style="list-style-type: none"> 1. A fire detection and fire alarm system category L1 to BS5839: Part 1: 2013 (or current edition if amended) shall be provided throughout the whole building. 2. The separating walls, floors and independent fire separation ceiling forming the capping to the stair and the staff changing/toilet area shall be constructed to provide medium duration fire resistance with linings of low risk or non-combustible materials and shall not contain pipes, wires or other services. 3. The restaurant and flatted accommodation shall remain under the same ownership with the flat used only as accommodation for the caretaker/manager of the premises and his family. <p>Reason for Decision</p> <p>Given that the purpose of the residential accommodation is for supervision and security purposes (caretaker/manager's flat) and that the residents and staff of the restaurant will be trained and made familiar with the fire escape strategy of the building, it is considered that the conditions specified will provide an acceptable level of fire protection, early warning and means of escape in the event of fire.</p>	<p>That the specific site characteristics shall be assessed by the verifier in association with the Local Fire and Rescue service and approval granted based on this dispensation decision.</p>

Regulation 9 Provisions on which dispensation is given	Decision	STAS Condition
<p>Technical Standard 2.9</p> <p>Every <i>building</i> must be designed and <i>constructed</i> in such a way that in the event of an outbreak of fire within the <i>building</i>, the occupants, once alerted to the outbreak of the fire, are provided with the opportunity to escape from the <i>building</i>, before being affected by fire or smoke.</p> <p>Guidance 2.9.23 Non Domestic</p> <p>Occupants in <i>buildings</i> with only 1 escape route are at greater risk from being exposed to fire and smoke during their escape. Therefore, where a <i>building</i> has only 1 escape route by way of an <i>escape</i> stair, access to the <i>escape</i> stair should be by way of a protected lobby.</p> <p>(Ref: Domestic – Mixed Use Buildings That requires a protected zone shared by a Domestic and Non- Domestic building to have protected lobbies which by reference to</p> <p>2.9.23 Domestic Escape Routes – Protected Lobbies Allows the wall and any self closing fire door dividing the protected lobby from the remainder of the protected zone to be of short duration.)</p>	<p>Conditions of Dispensation</p> <p>Dispensation shall apply to the enclosing structure forming the protected zone to the exit stair enclosure which has a protected lobby at ground and 1st floor levels but which shall not include the IVS corridor serving the male and female changing rooms and toilets at 1st floor subject to the following conditions:</p> <ol style="list-style-type: none"> 1. The walls forming the protected lobby between the stair and Ground floor restaurant and 1st floor caretaker/manager's flat shall have a medium duration fire resistance with any door therein being a self-closing fire door with medium fire resistance duration. 2. The walls forming the IVS corridor to the male and female changing rooms at 1st floor shall have a short duration fire resistance with any door therein being a self-closing fire door with short fire resistance duration. 3. The independent suspended ceiling forming the medium fire resistance duration separation over the enclosing structure of the escape stair shall be extended over the staff accommodation, associated IVS and office and shall have a medium duration fire resistance from both sides. 4. The separating walls between the caretaker/manager's flat and the restaurant, including those that form the protected zone shall be constructed to provide medium duration fire resistance with linings of low risk or non-combustible materials and shall not contain any pipes, wires or other services. 5. A fire detection and fire alarm system category L1 to BS5839: Part 1: 2013 (or current edition if amended) shall be provided throughout the whole building. 	<p>That the specific site characteristics shall be assessed by the verifier and approval granted based on this dispensation decision.</p>

6. Emergency escape windows shall be provided to the caretaker/manager's flat as per standard 2.9.4 - Domestic.

Reason for Decision

Given that the purpose of the residential accommodation is for supervision and security purposes (caretaker/manager's flat) and that the residents and staff of the restaurant will be trained and made familiar with the fire escape strategy of the building, it is considered that the conditions specified will provide an acceptable level of fire protection, early warning and means of escape in the event of fire.

Regulation 9 Provisions on which dispensation is given	Decision	STAS Condition
<p>Technical Standard 2.9</p> <p>Every <i>building</i> must be designed and <i>constructed</i> in such a way that in the event of an outbreak of fire within the <i>building</i>, the occupants, once alerted to the outbreak of the fire, are provided with the opportunity to escape from the <i>building</i>, before being affected by fire or smoke.</p> <p>Guidance 2.9.30 Non Domestic</p> <p>That the speed of evacuation of occupants with sensory cognitive and/or mobility impairments can be much slower than other building uses and therefore a space should be provided to allow them to wait temporarily, before completing their escape to a place of safety.</p>	<p>Conditions of Dispensation</p> <p>That the temporary waiting space in the stair enclosure at first floor level shall be dispensation with, subject to the following condition:</p> <ol style="list-style-type: none"> 1. An accessible toilet shall be provided at ground floor level that can be used by any member of staff with sensory, cognitive and/or mobility impairments employed in a non-food handling capacity, e.g. a receptionist. <p>Reason for Decision</p> <p>It is considered that the conditions specified will provide acceptable level of changing/toilet provision for staff with sensory, cognitive and/or mobility impairments and therefore negate the need for access to the 1st floor changing areas so dispensing the need to provide a temporary waiting space.</p>	<p>That the specific site characteristics shall be assessed by the verifier and approval granted based on this dispensation decision.</p>

Regulation 9 Provisions on which dispensation is given	Decision	STAS Condition
<p>Technical Standard 2.9</p> <p>Every <i>building</i> must be designed and <i>constructed</i> in such a way that in the event of an outbreak of fire within the <i>building</i>, the occupants, once alerted to the outbreak of the fire, are provided with the opportunity to escape from the <i>building</i>, before being affected by fire or smoke.</p> <p>Guidance 2.9.35 Non Domestic</p> <p>That every part of an escape stair (including landings) and the floor of a protected zone or protected lobby should be constructed of non-combustible materials.</p>	<p>Conditions of Dispensation</p> <p>Dispensation shall apply to the escape stair, landings and the protected lobby floor being constructed in combustible materials subject to the following conditions.</p> <ol style="list-style-type: none"> 1. The underside of the stair, landings, protected lobby, separating floor and the independent fire separation ceiling between the caretaker/manager's flat and the restaurant are to provide medium duration fire resistance and have linings of low risk or non-combustible materials. 2. A fire detection and fire alarm system category L1 to BS5839: Part 1: 2013 (or current edition if amended) shall be provided throughout the whole building. 3. The restaurant and flatted accommodation to remain under the same ownership with flat used as accommodation for the caretaker/manager of the premises only. <p>Reason for Decision</p> <p>It is considered that the conditions specified will provide acceptable level of fire protection, early warning and means of escape in the event of fire.</p>	<p>That the specific site characteristics shall be assessed by the verifier and approval granted based on this dispensation decision.</p>

Regulation 9 Provisions on which dispensation is given	Decision	STAS Condition
<p>Technical Standard 3.12</p> <p>Every building must be designed and constructed in such a way that sanitary facilities are provided for all occupants of, and visitors to, the building in a form that allows convenience of use and that there is no threat to the health and safety of occupants or visitors.</p> <p>Guidance</p> <p>3.12.2 Non Domestic</p> <p>3.12.3</p> <p>That a building should be provided with sanitary facilities for staff, which by reference to the table in the Standard requires, during peak times of restaurant use:</p> <ul style="list-style-type: none"> • 1WC, 1WHB and 1 urinal for 7 males, and • 2WC's and 2 WHB's for 7 females. 	<p>Conditions of Dispensation</p> <p>Dispensation shall apply to the provision of toilet provision for staff as follows:</p> <ul style="list-style-type: none"> • 1WC and 1WHB for the males, and • 1WC and 1WHB for the females. <p>Reason for Decision</p> <p>Given the low number of staff actually working on the premises out with peak times, it is considered that an acceptable level of sanitary facilities is provided.</p>	<p>That the specific site characteristics shall be assessed by the verifier and approval granted based on this dispensation decision.</p>

Regulation 9 Provisions on which dispensation is given	Decision	STAS Condition
---	----------	----------------

Technical Standard 4.2

Every building must be designed and constructed in such a way that:

- (a) in non-domestic buildings, safe, unassisted and convenient means of access is provided throughout the building;
- (b) in residential buildings, a proportion of the rooms intended to be used as bedrooms must be accessible to a wheelchair user;
- (c) in domestic buildings, safe and convenient means of access is provided within common areas and to each dwelling;
- (d) in dwellings, safe and convenient means of access is provided throughout the dwelling; and
- (e) in dwellings, unassisted means of access is provided to, and throughout, at least one level.

Limitation:

There is no requirement to provide access for a wheelchair user:

- (a) in a non-domestic building not served by a lift, to a room, intended to be used as a bedroom, that is not on an entrance storey; or
- (b) in a domestic building not served by a lift, within common areas and to each dwelling, other than on an entrance storey.

Guidance

4.2.7 Non Domestic

That in addition to a stair between storeys, a means of unassisted access other than a ramp, should be provided between storeys by a lift except to specific areas where access by a lift need not be provided, as described in clause 4.2.1.

Conditions of Dispensation

That a lift providing unassisted access between the main restaurant (574sq.m total floor area) and the 1st floor changing area (24sq.m. total floor area) shall be dispensed with subject to the following conditions:

1. An accessible toilet shall be provided at ground floor level that can be used by any member of staff with sensory, cognitive and/or mobility impairments employed in a non-food handling capacity, e.g. a receptionist, and
2. Future provision for a stair-lift to the stair shall be made by allocating a space within the stair enclosure and providing a spur point power supply to facilitate the installation should there ever be the need to accommodate a member of staff or caretaker/manager's family with limited mobility.

That the specific site characteristics shall be assessed by the verifier and approval granted based on this dispensation decision.

Reason for Decision

It is considered that the conditions specified will provide an acceptable level of access for members of staff or caretaker/manager's family with sensory, cognitive and/or mobility impairments without the need to provide unassisted access by means of a lift.