



An  
Bord  
Pleanála

**Board Direction**

**BD-017232-24**

**ABP-317561-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/08/2024.

The Board decided to treat this case under section 40(2) of the Building Control Regulations 1997, as amended. The Board also decided, based on the Reasons and Considerations set out below that the building control authority be directed, as follows:

To REMOVE condition number 2

### **Reasons and Considerations**

Having regard to the presented design of the residential development and the compliance report, to the submissions made in connection with the Fire Safety Certificate application and the appeal, and to the report and recommendation of the reporting inspector, it is considered that it has been demonstrated by the first party appellant in the fire safety application and appeal that the basement level car park does not require sprinkler protection to meet the requirements of Part B of Technical Guidance Document B - Fire Safety 2006 (reprinted 2020) [TGD: Part B] ].

Therefore, condition number 2 as originally attached by the Building Control Authority to the fire safety certificate is not necessary to meet the guidance set out in TGD: Part B or accordingly to demonstrate compliance with Part B of the Second Schedule to the Building Regulations 1997, as amended.

The Board was satisfied that, subject to the attachment of the remaining conditions (excluding condition 2 as directed by the Board to be removed), it has been demonstrated that the proposed development, if constructed in accordance with the design presented with the application and appeal, would comply with the requirements of Part B of the second schedule to the Building Regulations 1997, as amended.

**Board Member:**



Martina Hennessy

**Date:** 14/08/2024