

An
Bord
Pleanála

Board Direction
BD-017926-24
ABP-317569-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 22/10/2024.

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:

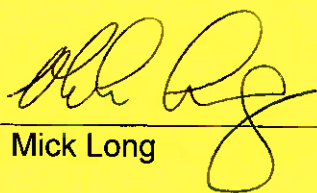
Remove condition numbers 1 and 2 attached to the decision of the Building Control Authority.

Reasons and Considerations

Having regard to the presented design of the development and the compliance report, drawings and application form, to the submissions made in connection with the Fire Safety Certificate application and the appeal and to other relevant decisions made by the Board, it is considered that it has been demonstrated by the appellant that the proposed building meets the relevant requirements of both Section B3 and Section B5 of Technical Guidance Document B 2006 – Fire Safety (2020 Reprint). It is considered that the additional measures required by the Building Control Authority to those required by Technical Guidance Document- Fire Safety 2006 (2020 Reprint) are not necessary and it is accepted that evidence of compliance with the relevant technical guidance document will, prima facie, indicate compliance with Part B of the Second Schedule of the Building Regulations and there is no justification to attach condition number 1 and condition number 2 to the decision of the planning authority.

The Board was satisfied that, subject to the attachment of the remaining conditions, excluding conditions 1 and 2 as removed by the Board, it has been demonstrated that the buildings, if constructed in accordance with the design presented with the application, would comply with the requirements of Part B of the second schedule to the Building Regulations 1997, as amended.

Board Member



Mick Long

Date: 22/10/2024