



An
Coimisiún
Pleanála

Direction
CD-020433-25
ABP-321308-24

The submissions on this file and the Inspector's report were considered at a meeting held on 07/08/2025.

The Commission decided to treat this case under Article 40 of the Building Control Regulations 1997, as amended.

The Commission also decided, based on the Reasons and Considerations set out below that the Building Control Authority be directed, as follows:

Amend Conditions 1 and 15 to read as set out below and to
Omit Conditions 3 and 5

Condition 1:

Each lobby between Stairs 01 and 02 and the apartments shall comply with the following:

- i. The inner lobby door directly accessing the apartment shall be considered as the apartment entrance door.
- ii. The outer lobby door accessing the stairs shall not be fitted with any locking device.
- iii. Each lobby shall be considered to be a Landlord area and therefore shall be kept sterile and free from any resident's belongings at all times.

Reason

To ensure compliance with Part B of the second schedule to the Building Regulations 1997 as amended.

Condition 15:

- i. Any new stud partition compartment walls shall comply with Section 3.2.5.4 of TGD-B 2006 + A1: 2020, and
- ii. All stud partition walls shall comply with Section 3.2.5.7 of TGD-B 2006 + A1: 2020.

Reason

To ensure compliance with Part B of the second schedule to the Building Regulations 1997 as amended.

Planning**Commissioner:**

Patricia Calleary
Patricia Calleary

Date: 07/08/2025**DRAFT WORDING FOR ORDER****Reasons and Considerations**

Having regard to the submissions made in connection with the Fire Safety Certificate application and the appeal, it is considered that in relation to:

Condition 1(ii) - The Appellant has demonstrated compliance with the current Building Regulations.

Condition 3 - The Appellant has demonstrated compliance with the current Building Regulations for an existing building.

Condition 5(i) - The area is outside the scope of the application.

Condition 5(ii) - The Appellant has shown that there is no new or greater contravention of the Building Regulations by the material change of use of the upper floors of No.89.

Condition 15 - The Appellant has demonstrated compliance with the Building Regulations in relation to the use of materials in a compartment wall for an existing building. The Appellant has not demonstrated compliance with the Building Regulations in relation to the accommodation of services in a compartment wall.