



An
Bord
Pleanála

**Board Direction
FS61.FS0552**

The submissions on this file and the Inspector's report were considered at a Board meeting held on May 29th 2017.

The Board decided to allow the appeal, and that the Building Control Authority be directed to delete condition number 1 in accordance with the reasons and considerations as set out below

Reasons and Considerations:

Having regard to:

- The submissions made in connection with the Fire Safety Certificate application and the appeal
- The type of use and layout of the building (as a multi-level shopping mall with a large anchor unit opening to the mall at two levels)
- The extent of provision with regard to active fire/smoke protection systems (sprinkler system, mechanical smoke extract system and automatic smoke curtains/shutters) within the Dunnes Stores unit

- The fact that these provisions were previously regarded by GCC as compliant with the requirements of Part B of the Second Schedule to the Building Regulations 1997 to 2017 without the need to further compartment the unit from the mall (by virtue of granting Fire Safety Certificate FSC 98/15) and the fact that there have been no further material alterations in the interim that would be considered as having a material effect on that decision and
- The requirement to have consideration (in an application for a Fire Safety Certificate) only to the specific works that are the subject of the application

it is considered that the appeal should be allowed and Condition No. 1 be deleted.

Board Member

Date: 29th May 2017

Paul Hyde