



Building Control Acts 1990 to 2014

Building Control Authority: Dún Laoghaire-Rathdown County Council

Building Control Authority Register Reference Number: 16/8175

Appeal by Friends First Life Assurance Company Limited care of Maurice Johnson and Partners of The Anchorage, Charlotte Quay, Dublin in relation to the decision made on the 9th day of November, 2017 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a fire safety certificate under section 6 (2)(a)(ii) of the Building Control Act, 1990, as amended by section 5(a) of the Building Control Act 2007 in respect of the construction of a new building, material alteration, extension to a building, upgrading of existing car park (in part) and demolition of existing Enterprise House and associated basement car park and construction of new section of basement car park integrated with the retained car park under adjacent shopping centre as first phase of development to include new office block overhead as subsequent phase, at Level -1 car park and lower ground floor of Enterprise House, Frascati Road, Blackrock, County Dublin in accordance with plans and particulars lodged with the building control authority:

WHEREAS the said appeal relates only to condition number 1 attached to the decision of the building control authority:

AND WHEREAS An Bord Pleanála is satisfied, having regard to the nature of condition number 1, that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 7 of the Building Control Act 1990 and by Article 40 (2) of the Building Control Regulations, 1997, and based on the reasons and considerations set out below, hereby directs the building control authority to delete condition number 1 and the reason therefor and to attach a new condition number 1 so that it shall be as follows for the reason set out.

1. The basement carpark shall be separated from the adjoining shopping centre in construction achieving 60 minutes fire resistance with FD60s door sets.

Reason: To comply with Part B of the Second Schedule of the Building Regulations 1997-2017.

Reasons and Considerations

Having regard to the proposed use, scale, form and layout of the building, to the submissions lodged 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, subject to the removal and replacement of condition number 1, together with the attachment of conditions numbers 2 and 3 of the Building Control Authority, the proposed works would achieve an adequate level of fire safety that would comply with the requirements of Part B of the Second Schedule of the Building Regulations 1997-2017.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Building Control Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Michelle Fagan

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2018.