



Building Control Acts 1990 to 2014

Building Control Authority: Dublin City Council

Building Control Authority Register Reference Number: FA/17/1499

Appeal by Ziggurat Dominick Street Ireland care of Jeremy Gardner Associates of 9 Upper Baggot Street, Dublin in relation to the decision made on the 8th day of January, 2018 by Dublin City 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 construction of a student accommodation block with the building designed to be between seven storeys in height with an outdoor terrace at roof level at numbers 58-64 Dominick Street Upper, Dublin in accordance with plans and particulars lodged with the said authority:

WHEREAS the said appeal relates only to conditions numbers 1 and 2 attached to the decision of the Council:

AND WHEREAS An Bord Pleanála is satisfied, having regard to the nature of the said conditions, 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 said authority to delete the said conditions numbers 1 and 2 and the reasons therefor and to attach new conditions numbers 1 and 2 so that they shall be as follows for the reasons set out:

1. (a) The fire appliance access routes shall conform to Table 5.2 of Technical Guidance Document B 2006 without encroaching on landscaping features or parking within the site and shall be demonstrated as such by means of a vehicle swept track analysis and detailed site plans showing road surfaces, levels and all landscaping features.
- (b) A fire hydrant shall be provided in the courtyard in a position accessible to the fire service.

Reason: To comply with Part B5 (Access and Facilities for the Fire Service) of the Second Schedule of the Building Regulations 1997 to 2017.

2. The route from staircases A and B to open air at lower ground floor level shall be modified to conform fully to BS9991:2015.

Reason: To comply with Part B5 (Access and Facilities for the Fire Service) of the Second Schedule of the Building Regulations 1997 to 2017.

Reasons and Considerations

Having regard to the proposed form and layout of the building, and the nature of the proposed works, 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 attachment of revised conditions numbers 1 and 2 as set out above, together with condition number 3 of the Building Control Authority, the application of BS9991:2015 is appropriate and the proposed works would achieve an adequate level of fire safety that would comply with the requirements of Part B5 (Access and Facilities for the Fire Service) of the Second Schedule of the Building Regulations 1997 to 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.