



Building Control Acts 1990 to 2014

Building Control Authority: Dublin City Council

?Building Control Authority Register Reference Number: FA/17/1459

Appeal by Ziggurat Dominick Street Ireland Limited care of JGA Fire Engineering Consultants of 9 Upper Baggot Street, Dublin in relation to the decision made on the 22nd 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 the construction of new building: Block E will be provided with a single escape stair serving all floor levels (that is, up to fourth floor). Block E will consist of 77 bedrooms with a range of seven bedroom units, six bedroom units, five bedroom units and four bedroom units, and studio apartments at Block E, North Circular Road Student Accommodation, North Circular Road, Dublin in accordance with plans and particulars lodged with the said authority:

WHEREAS the said appeal relates only to condition number 2 attached to the decision of the Council:

AND WHEREAS An Bord Pleanála is satisfied, having regard to the nature of the said condition, 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 amend the said condition number 2 so that it shall be as follows for the reason set out:

2. (1) The fire appliance access routes shall conform to Table 5.2 of Technical Guidance Document B – Fire Safety (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.
- (2) The mechanical smoke ventilation system to the common lobbies shall conform to Section 14.2.4 of BS 9991:2015.

Revised particulars showing compliance with the foregoing shall be submitted to, and agreed in writing with, the Building Control Authority.

Reason: To comply with Part B5 of the Second Schedule to the Building Regulations 1997-2017.

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 removal of condition number 2 and attachment of the replacement condition number 2 as set out above, the application of BS 9991:2015 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.