



Building Control Acts 1990 to 2014

Building Control Authority: Dublin City Council

Building Control Authority Register Reference Number: FA/15/1314

Appeal by Eriugena Group care of Michael Slattery Associates of 19 Windsor Place, Lower Pembroke Street, Dublin in relation to the decision made on the 6th day of March, 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 new college building over seven storeys (lower ground, ground plus five upper levels), at Dublin Institute of Technology Campus, Central Quad, former Saint Brendan's Hospital site, Grangegorman, Dublin in accordance with plans and particulars lodged with the said authority:

WHEREAS the appeal relates only to conditions numbers 1, 2, 3 and 4 attached to the decision of the council:

AND WHEREAS An Bord Pleanála is satisfied, having regard to the nature of the 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 council to delete conditions numbers 1 and 4 and the reasons therefor, and to amend conditions numbers 2 and 3 so that they shall be as follows for the reasons set out:

2. In the event of design changes to the building requiring a revised Fire Safety Certificate, the smoke control strategy and design shall be reassessed if necessary to ensure that tenable conditions are still maintained on the atrium balconies.

Reason: To ensure compliance with Part B of the Second Schedule to the Building Regulations 1997 to 2017.

3. A total of 118 square metres of openable ventilation shall be provided to the lower ground floor, of which 82 square metres may be via permanently open voids linking the circulation corridors to the ground floor above. The remaining openable vents may be via knock out pavement lights to external and shall be dispersed so that each room between gridlines 5-8 are provided with ventilation.

Reason: To ensure compliance with Part B of the Second Schedule to the Building Regulations 1997 to 2017.

Reasons and Considerations

Having regard to the proposed form, use and layout of the building, to the submissions lodged in connection with the Fire Safety Certificate application and the appeal, to the use of the provisions of BS9999 as a basis for design and to achieve compliance with the functional requirements of Part B of the Building Regulations 1997 to 2017, and to the report and recommendation of the reporting Inspector, it is considered that subject to the removal of conditions numbers 1 and 4, the attachment of the amended conditions numbers 2 and 3 as set out above and to consequent renumbering of the remaining conditions of the Fire Safety Certificate that the proposed works and use would achieve an adequate level of fire safety that would comply with the requirements of Part B (Fire Safety) 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.