



Building Control Acts 1990 to 2014

Building Control Authority: Dublin City Council

Building Control Authority Register Reference Number: FA/17/1558

Appeal by Monteco Holdings care of Michael Slattery Associates of 19 Windsor Place, Lower Pembroke Street, Dublin in relation to the decision made on the 15th 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 extension including additional floor level and floor area and material alterations to existing hotel building at Ormond Quay Hotel, Ormond Quay, Dublin in accordance with plans and particulars lodged with the said authority:

WHEREAS the said appeal relates only to condition number 1 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 1 so that it shall be as follows for the reason set out:

1. An appropriate automatic fire suppression system shall be fitted throughout the basement accommodation. A manually operated fire service smoke clearance system shall be installed in the basement corridors in accordance with Section 3.5.2.5 of Technical Guidance Document B and based on the volume of the largest fire compartment opening off the corridor combined with the volume of the corridor.

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

Reasons and Considerations

Having regard to the proposed 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 recommendations of the reporting Inspector which concludes that sufficient rationale has not been presented to warrant the setting aside of Section 5.4.3.1 of Technical Guidance Document B in its entirety and that natural ventilation would not be a practical alternative solution. Accordingly, it is considered appropriate to amend condition number 1 to require an automatic fire suppression system and a mechanical smoke clearance system to be fitted, to mitigate the risk and consequences of a basement fire scenario.

It is, therefore, considered that, subject to the amendment of condition number 1, it has been demonstrated that the design as presented with the application insofar as the proposed extension and material alterations to the hotel are proposed, would comply with the technical requirements of Part B of the Second Schedule to 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.