



Building Control Acts 1990 to 2014

Building Control Authority: Fingal County Council

Building Control Authority Register Reference Number: 17/4215/Rev

Appeal by Humar Limited trading as Marymount Care Centre care of Maurice Johnson and Partners of The Anchorage, Charlotte Quay, Dublin in relation to the decision made on the 13th day of March, 2018 by Fingal County Council to grant subject to conditions a revised fire safety certificate under section 6 (2)(a)(vi) of the Building Control Act, 1990, as amended by section 5 of the Building Control Act 2007, in respect of demolition of existing single storey extensions consisting of 36 bedroom spaces and construction of a new 97 bedroom two-storey extension and associated works at Marymount Care Centre, Westmanstown, Lucan, County Dublin in accordance with plans and particulars lodged with the said Building Control Authority:

WHEREAS the said appeal relates to condition number 1 attached to the decision of the said Building Control Authority:

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, as amended by section 6 of the Building Control Act 2007, 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 Building Control Authority to remove condition number 1 and the reason therefor.

Reasons and Considerations

Having regard to the proposed form, use and layout of the building, to the submissions lodged in connection with the revised Fire Safety Certificate application and the appeal, to the provisions of Technical Guidance Document B (2006) used as the basis for design and to achieve compliance with the functional requirements of Part B of the Building Regulations and to the report and recommendation of the reporting Inspector, it is considered that, notwithstanding the removal of condition number 1, the proposed works 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.