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**Building Control Acts 1990 to 2014**

**Building Control Authority: Dublin City Council**

**Building Control Authority Register Reference Number: FA/18/1247/REV  
(FSC2967/18/REV)**

**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 20<sup>th</sup> day of July, 2018 by Dublin City Council to grant 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 Dublin Institute of Technology Campus, East Quad, former Saint Brendan's Hospital site, Grangegorman, 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 Building Control Authority:

**AND WHEREAS** An Bord Pleanála is satisfied, having regard to the nature of the 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 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 utilisation of BS9999 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 and the consequent renumbering of the remaining condition of the revised fire safety certificate that 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.

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**Michelle Fagan**

**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2018.**