



Building Control Acts 1990 to 2014

Building Control Authority: Dublin City Council

Building Control Authority Register Reference Number: FA/18/1369/7D

Appeal by Sorcha McCabe care of Jeremy Gardner Associates of 9 Upper Baggot Street, Dublin in relation to the decision made on the 20th day of July, 2018 by Dublin City Council to refuse 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 for provision of a live wall and timber panelling to the external façade of the unit along the south and east elevations at Block B, Haymarket, Smithfield, Dublin.

Decision

Pursuant to the powers conferred on it by section 7 of the Building Control Act, 1990, An Bord Pleanála hereby refuses the appeal based on the reasons and considerations set out below.

Reasons and Considerations

Having regard to the form and nature of the material alteration, the submissions lodged in connection with the Fire Certificate Application and the submissions made in connection with the appeal, the reports of the Building Control Authority and the recommendation of the reporting Inspector and in particular having regard to the extent of testing carried out to the live wall cladding system and the lack of clarity of information provided regarding the live wall system and its component parts, the Board is not satisfied that it has been fully demonstrated that the proposed material alteration would achieve an adequate level of fire safety that would comply with Part B4 of the Second Schedule to the Building Regulations 1997-2017.

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 2019.