



Building Control Acts 1990 to 2014

Building Control Authority: Donegal County Council

Building Control Authority Register Reference Number: FS/17/8

Appeal by Inishowen Engineering care of Doherty Building Surveying of Cashelcraw, Carndonagh, County Donegal in relation to the decision made on the 19th day of October, 2018 by Donegal County 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 workshop, offices, treatment plant and all associated site works at Shandrum, Drumfries, County Donegal in accordance with plans and particulars lodged with the said authority:

WHEREAS the said appeal relates only to conditions numbers 8 and 12 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 said authority to delete condition number 12 and the reason therefor and to attach condition number 8 and the reason therefor:

Reasons and Considerations

Having regard to the proposed form and 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 the recommendation of the reporting Inspector, it is considered that, subject to the deletion of condition number 12 and the attachment of condition number 8, the proposed works would achieve an adequate level of fire safety that would comply with the requirements of Part B3 (Internal Fire Spread (Structure)) and Part B5 (Access and Facilities for The Fire Service) 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 2019.