



Building Control Acts 1990 to 2014

Building Control Authority: Dublin City Council

Building Control Authority Register Reference Number: FA/18/1555

Appeal by Clancourt Management care of Michael Slattery Associates of 19 Windsor Place, Lower Pembroke Street, Dublin in relation to the decision made on the 3rd day of January, 2019 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 proposed single level penthouse office extension at eighth floor, Two Park Place, Hatch Street Upper, Dublin in accordance with the plans and particulars lodged with the said authority:

Decision

Pursuant to the powers conferred on it by section 7 of the Building Control Act, 1990, An Bord Pleanála hereby allows the appeal, based on the Reasons and Considerations set out below, and directs the Building Control Authority to grant a fire safety certificate in accordance with the said plans and particulars.

Reasons and Considerations

In arriving at its decision, the Board had regard to the Fire Safety Certificate application for the construction of the proposed building, including the design and details that formed part of the application, the subsequent submissions made in connection with the appeal and the reporting Inspector's report and recommendation. The Board noted the methodology used for the measurement of the top floor of the building which it considered to be reasonable in light of more recent technical guidance. The Board considered the fire strategy put forward, including the proposal to incorporate one firefighting shaft, a firefighting stair, compartment construction between all office tenancies within the building and other measures for means of escape and fire detection, to collectively meet the guidance set out in BS9999: 2017 and in turn meet the requirements of Part B of the Second Schedule of the Building Regulations 1997 to 2019.

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.

Stephen Bohan

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2019.