



Building Control Acts 1990 to 2014

Building Control Authority: Dublin City Council

Building Control Authority Register Reference Number: FA/18/1700/7D

Appeal by Lyndonmont Limited care of Michael Slattery Associates of 19 Windsor Place, Lower Pembroke Street, Dublin in relation to the decision made on the 23rd day of January, 2019 by Dublin City 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 material alterations consisting of minor modifications to the public areas of the ground floor, to include new partitions and doors at Dylan Hotel, Eastmoreland Place, Dublin in accordance with plans and particulars lodged with the said authority:

WHEREAS the said appeal relates only to condition number 2 attached to the decision of the 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 and by Article 40 (2) of the Building Control Regulations, 1997, and based on the reasons and considerations set out below, hereby directs the authority to amend the condition number 2 so that it shall be as follows for the reason set out:

2. The 60-minute fire-rated curtain between the open reception and the reception corridor shall be omitted and a similarly rated curtain shall be provided between the open reception and the library, as detailed on drawing number FSC – 05 submitted to the Building Control Authority on the 19th day of December, 2018. All new doors shall comply with section 1.4.3 (Doors on escape routes) of Technical Guidance Document B:2006.

Reason: To achieve compliance with Part B1 of the Second Schedule to the Building Regulations 1997-2018.

Reasons and Considerations

The Board considered that, subject to the amendment of condition number 2 of the Fire Safety Certificate, it has been demonstrated that the proposed material alterations would, if constructed as proposed, provide adequate means of escape in the case of a fire and, in doing so, would achieve compliance with Part B1 of the Second Schedule to the Building Regulations 1997-2018.

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.