



An
Bord
Pleanála

**Board Order
ABP-303987-19**

Building Control Acts 1990 to 2014

Building Control Authority: Donegal County Council

Building Control Authority Register Reference Number: FS/17/35R

Appeal by Patrick Doherty care of Doherty Building Surveying of Cashelcraw, Carndonagh, County Donegal in relation to the decision made on the 20th day of February, 2019 by Donegal County Council to grant subject to conditions a regularisation certificate under section 6 (2)(a)(vii) of the Building Control Act, 1990, as amended by section 5 of the Building Control Act 2007, in respect of retention of store room at first floor level, store at main hall and extra door at main entrance at Doagh Famine Village, Isle of Doagh, Clonmany, County Donegal in accordance with plans and particulars lodged with the said Building Control Authority:

WHEREAS the 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 attach condition number 1, and to amend the reason therefor so that it shall be as follows.

Reason: To demonstrate compliance with the provisions of Part B1 of the Second Schedule to the Building Regulations, 1997 to 2019.

Reasons and Considerations

Having regard to the form, use and layout of the building, to the submissions lodged in connection with the regularisation Fire Safety Certificate application and the appeal, and to the report and recommendation of the reporting Inspector, it is considered that the attachment of condition number 1 is necessary to demonstrate compliance with the requirements of Part B1 (Means of Escape in case of Fire) 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 2021.