



Building Control Acts 1990 to 2014

Building Control Authority: Galway City Council

Building Control Authority Register Reference Number: FS 112/18

Appeal by Advanced Vision Limited care of Jeremy Gardner Associates of Office 3, Monterey Court, Salthill, Galway in relation to the decision made on the 14th day of March, 2019 by Galway 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 construction of a four-storey over lower ground, 134 bedroom hotel at Dean Hotel, Prospect Hill, Galway in accordance with plans and particulars lodged with the said authority:

WHEREAS the said appeal relates only to condition number 1 attached to the decision of the Council:

AND WHEREAS An Bord Pleanála is satisfied, having regard to the nature of the said 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 said authority to amend the said condition number 1 so that it shall be as follows for the reason set out:

1. An additional dry riser inlet valve to serve the riser in Stairs Number 3 shall be provided in front of the hotel along Prospect Hill at a point adjacent to the gates leading to the rear of the building.

Reason: To comply with the requirements of Part B5 (Access and Facilities for the Fire Service) of the Second Schedule of the Building Regulations 1997 to 2019.

Reasons and Considerations

In arriving at its decision, the Board had regard to the Fire Safety Certificate application 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. It is considered that, with the amendment of condition number 1, whereby an additional riser inlet valve is specified as a requirement to serve the riser in Stairs Number 3, the proposed arrangement would be sufficient to demonstrate compliance with Part B5 (Access and Facilities for the Fire Service) 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.

Michelle Fagan

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2020.