



Building Control Acts 1990 to 2014

Building Control Authority: Dublin City Council

Building Control Authority Register Reference Number: FA/19/1113

Appeal by Complex Productions Limited care of MSA of 19 Windsor Place, Lower Pembroke Street, Dublin in relation to the decision made on the 10th day of July 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 material alterations and change of use of an existing warehouse to provide a performing arts centre for a period of three years at 21-25 Arran Street East, Smithfield, 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 proposed material alterations and change of use of an existing warehouse to provide a performing arts centre for a period of three years, 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 considered that in retaining the existing roof material and existing roof build-up and noting the stated commitment that any roof lights would meet the prescriptive requirements of Parts B2 and B4 of Technical Guidance Document B – Fire Safety (2006) in respect of the performance of thermoplastic roof lighting or lighting diffusers, it has been demonstrated that the roof material and build-up meet the requirements of Part B4 of the Second Schedule to 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 2020.