



Building Control Acts 1990 to 2014

Building Control Authority: Dún Laoghaire-Rathdown County Council

Building Control Authority Register Reference Number: 19/8038

Appeal by Oakmont care of Goldsmith Engineering of Mount Pleasant Business Centre, Ranelagh, Dublin in relation to the decision made on the 4th day of July, 2019 by Dún Laoghaire-Rathdown County 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 new building. It is proposed to construct a new six storey building including a basement. The building will comprise of 48 apartments with four offices located on the ground floor, on a site between 66 and 68 Deerpark Road, Mount Merrion, Sandyford, County Dublin, in accordance with plans and particulars lodged with the Building Control Authority:

WHEREAS the appeal relates only to condition number 3 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 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 amend condition number 3 so that it shall be as follows for the reason set out:

3. The building at basement level should be provided with -
 - (a) A double lobby at basement level shall be installed, which shall have permanent ventilation of 0.4 square metres in the outer lobby directly to outside.
 - (b) The inner lobby at basement level shall have a full mechanical smoke extract system installed to protect against smoke spread. A comprehensive CFD report shall be produced to demonstrate the performance of the mechanical smoke extract system
 - (c) The basement carpark shall have its own dedicated natural cross ventilation system including permanent natural openings and jet fans which shall limit smoke spread into the lobbies.
 - (d) A smoke curtain with smoke seal properties shall be installed at the basement level lift. This smoke curtain shall activate immediately on local detection or from the fire alarm input. This shall prevent smoke spread to the floors above via the lift shaft.

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 Fire Safety Certificate application and the appeal, and to the report and recommendation of the reporting Inspector, it is considered that, subject to the amendment of condition number 3, the works proposed would achieve an adequate level of fire safety and would comply 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.

John Connolly
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2021.