



Building Control Acts 1990 to 2014

Building Control Authority: Dublin City Council

Building Control Authority Register Reference Number: FA/19/1240

Appeal by Mink Fusion Limited care of Knapton Fire Safety Consultants of 76 Upper George's Street, Dún Laoghaire, County Dublin in relation to the decision made on the 19th day of December, 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 alteration/material change of use/extension to a building: the proposed development shall consist of a change of use from a former tourism information office, restaurant and annex exhibition hall to a licenced food hall, dining and annex banqueting hall, all to be operated under single management. The development will also include three new extension structures of contemporary design attached to the existing building to house necessary plant, storage and waste management services. The existing church and former schoolhouse shall be connected by a proposed connecting corridor at Saint Andrew's Church, Suffolk Street/Saint Andrew's Street, Dublin in accordance with plans and particulars lodged with the said authority:

WHEREAS the said appeal relates only to condition number 4 attached to the decision of the Council:

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 condition number 4 so that it shall be as follows for the reason set out:

4. A ramp complying with the requirements of 1.4.6 of Technical Guidance Document B 2006 is to be provided on the escape route leading from final exit Number 3 (door as identified on drawing number 102, Rev B).

Reason: To comply with Part B1 of the Second Schedule to the Building Regulations 1997 to 2020.

Reasons and Considerations

Having regard to the layout of the protected structure, to the ceiling height in the area between Final Exit 10 and Final Exit 11 and the unlikelihood that Storey Exit 16 and Final Exit 11 would be compromised within the Required Safe Egress Time (RSET), it is considered that, subject to the amendment of condition number four, it has been demonstrated that sufficient egress, including the provision of a ramp complying with the requirements of Section 1.4.6 of Technical Guidance Document B 2006 leading from Final Exit 3, would be provided, such as to demonstrate compliance with Part B1 (Means of Escape) of the Second Schedule to the Building Regulations 1997 to 2020.

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 2020.