



Building Control Acts 1990 to 2014

Building Control Authority: Galway County Council

Building Control Authority Register Reference Number: FS 98/2019

Appeal by Padraic Rhatigan care of Jeremy Gardner Associates Ireland Limited of Office 3, Monterey Court, Salthill, Galway in relation to the decision made on the 11th day of March, 2020 by Galway County Council to grant subject to conditions a Seven Day Notice - 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 the conversion of vacant offices to apartments at Cearnóg Nua, Moycullen, County Galway in accordance with plans and particulars lodged with the said authority:

WHEREAS the said appeal relates only to condition number 6 attached to the decision of the Building Control Authority:

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 6 so that it shall be as follows for the reason set out:

6. A Dry Falling Mains shall be provided along the external courtyard elevation of the building, with a dry riser outlet valve on the open external balcony overlooking the courtyard at Level 5 so that all parts of the new flats are no more than 45 metres from the nearest dry riser outlet along a route suitable for laying a hose. The fire main shall comply with BS 5306: Part 1: 1998.

Reason: To comply with Part B5 (Access and Facilities for the Fire Service) of the Building Regulations 1997 to 2020.

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, in relation to the works to the building comprising the conversion of offices to apartments, which are the subject matter of the Fire Safety Certificate application, no alterations are proposed at the lower levels such as would pose any new or greater contravention of 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.

Stephen Bohan

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

Dated this day of 2020.