



Building Control Acts 1990 to 2014

Building Control Authority: Dublin City Council

Building Control Authority Register Reference Number: FA/19/1537/7D

Appeal by BO Vision Capital care of OCFPM Limited of Unit 19, Charleville Town Centre, Charleville, County Cork in relation to the decision made on the 24th day of April, 2020 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, reconstruction of previously fire damaged apartments comprising of apartment number 11 - one bedroom apartment located on the second floor level, and apartment number 14 - one bedroom apartment located on the third floor level on an existing site at 37 Harcourt Street, Saint Kevin's, Dublin:

Decision

Pursuant to the powers conferred on it by section 7 of the Building Control Act, 1990, An Bord Pleanála hereby refuses the appeal based on the reasons and considerations set out below.

Reasons and Considerations

Having regard to the nature and layout of the existing building, the design and layout of the apartments, the submissions lodged in connection with the Fire Safety Certificate application and the appeal, it is considered that the proposed design does not satisfy the recommendations of the Guide to Fire Safety in Flats, Bedsitters and Apartments issued by the Department of Environment in 1994, nor BS 5588 Part 1: 1990 and 2004. The Board is not satisfied that the proposed design is in compliance with Sections 1.0.11 and 1.1.2 of Technical Guidance Document B 2006 and therefore, does not comply with the requirements of Part B of the Second Schedule to the Building Regulations 1997 – 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 18th day of June 2021.

