



Building Control Acts 1990 to 2014

Building Control Authority: Limerick City and County Council

Building Control Authority Register Reference Number: F8457

Appeal by Bridget and Rory O'Donnell care of Cáit Ní Cheallacháin of 'Saoirse', Old Park Road, Corbally, Limerick in relation to the decision made on the 20th day of April, 2021 by Limerick City and County Council to refuse a revised fire safety certificate under section 6 (2)(a)(vi) of the Building Control Act, 1990, as amended by section 5 of the Building Control Act 2007 in respect of the use of an existing third floor as dwelling use at 12 Mallow Street, Limerick in accordance with the plans and particulars lodged with the said Building Control Authority:

Decision

Pursuant to the powers conferred on it by section 7 of the Building Control Act, 1990, as amended by section 6 of the Building Control Act 2007, An Bord Pleanála hereby allows the appeal and directs the Building Control Authority to issue a revised fire safety certificate, in accordance with the said plans and particulars, based on the reasons and considerations under and subject to the conditions set out below

Reasons and Considerations

Having regard to the form, use and layout of the building, its status as a Protected Structure, the nature of the works, the provisions of Clause 11(1)(b) of the Building Regulations 1997, the guidance set out in Chapter 17 of the “Architectural Heritage Protection Guidelines for Planning Authorities”, issued by the Department of Arts, Heritage and the Gaeltacht in October 2011, the submissions lodged in connection with the revised Fire Certificate Application and the appeal, and the report and recommendation of the reporting Inspector, the Board is satisfied, subject to compliance with the condition set out below, that the solutions proposed by the applicant in the context of the existing building which is a protected structure, would provide for an adequate level of fire safety and would comply with Part B of the Building Regulations 1997.

Conditions

1. The works to which the application relates shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 13th day of May, 2021.

Reason: In the interest of clarity.

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 16th day of February 2022.

