



An
Bord
Pleanála

Board Order
ABP-314888-22

Building Control Acts 1990 to 2014

Building Control Authority: Dublin City Council.

Building Control Authority Register Reference Number: FSC2203949DC/DN

Appeal by Orwell Healthcare care of Michael Slattery and Associates of 19 Windsor Place, Lower Pembroke Street, Dublin in relation to the decision made on the 19th day of September, 2022 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 alterations and extension of nursing home at Queen of Peace Nursing Home of Garville Place, Rathgar, Dublin in accordance with plans and particulars lodged with the said authority:

WHEREAS the said appeal relates only to condition number 2 attached to the decision of the Building Control Authority:

AND WHEREAS An Bord Pleanála is satisfied, having regard to the nature of the said conditions, 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:

P.C.

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 delete the said condition number 2 and the reason therefor:

Reasons and Considerations

Having regard to the design of the material alterations and the extension of the existing nursing home, 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 it has been demonstrated that the inclusion of sprinklers is not a requirement that is necessary to demonstrate compliance with Technical Guidance Document B - Fire Safety (2006, reprinted 2020). Accordingly, the works proposed would, if otherwise carried out in accordance with the design, achieve an adequate level of fire safety that would comply with the requirements of Part B of the Second Schedule to the Building Regulations 1997, as amended.




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

Dated this 19 day of September 2023