



An
Bord
Pleanála

Board Order
ABP-315221-22

Building Control Acts 1990 to 2014

Building Control Authority: Meath County Council

Building Control Authority Register Reference Number: FRV2200532MH

Appeal by Ollie Callan care of FiSCA, Fire and Access on line Consultancy of Killerry, Ballintogher, County Sligo in relation to the decision made on the 3rd day of November, 2022 by Meath County 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 conversion of existing attic area to habitable living space with four number roof lights to front and side elevations, with all ancillary internal works to previously approved apartment on FS4115 at Number 24 Gandon Court, Athboy, County Meath in accordance with plans and particulars lodged with the said authority:

WHEREAS the said appeal relates only to conditions numbers 1 and 3 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:

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 Building Control Authority to delete the said condition number 3 and the reason therefor, and to amend the said condition number 1 so that it shall be as follows for the reasons set out:

1. The following documentation submitted for this fire safety certificate shall be complied with in full:

Except in so far as amended by any condition(s) attached hereto, the works shall comply with the information submitted to the Building Control Authority and where the original design submission is superseded by revised information the most recent details provided shall be complied with and incorporated into the building works. The original submission was received on the 2nd day of February 2022, and revised information received on the 3rd day of February 2022, the 11th day of April 2022, the 11th day of August 2022, and the 7th day of October 2022.

Reason: To ensure compliance with Parts B1-B5 of the Second Schedule to the Building Regulations, 1997-2021.

Reasons and Considerations

In respect of Condition 1 it is clear that the appellant submitted Additional Information offering an alternative means of escape and there is no basis for this to be removed as part of an appeal. As acknowledged by the Building Control Authority, the wording of Condition 1 could be clearer, and it would be appropriate for this to be changed to the wording as recommended by the Building Control Authority.

In respect of Condition number 3, the fire detection and alarm system to the common areas is beyond the scope of this application. The appellant is correct that this is not an appropriate condition given the scope of the application.



Stephen Bohan

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

Dated this  day of  2024

