



---

**Building Control Acts 1990 to 2014**

**Building Control Authority: Dublin City Council**

**Building Control Authority Register Reference Number: FSC2201739DC-7DN**

**Appeal by** Christopher Jones care of Maurice Johnson and Partners of The Anchorage, Charlotte Quay, Dublin in relation to the decision made on the 24<sup>th</sup> day of April, 2023 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 Sandymount Avenue Basement/Podium and associated works and proposed construction of a single storey basement car park and associated ground floor escape routes at Sandymount Avenue, Dublin in accordance with plans and particulars lodged with the said authority:

**WHEREAS** the said appeal relates only to condition number 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 authority to delete the said condition number 3 and the reason therefor:

### **Reasons and Considerations**

Having regard to the nature of the condition, to the submissions lodged in connection with the Fire Safety Certificate application and the appeal, the reports from the Building Control Authority and the Appellant, and to the report and recommendation of the reporting Inspector, the Board considered that condition number three is not sufficiently justified to comply with the provisions of Part B of the Second Schedule of the Building Regulations, and should therefore be omitted.

  
\_\_\_\_\_

**Eamonn James Kelly**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this 12<sup>th</sup> day of April, 2024.**