



An
Bord
Pleanála

Board Order
ABP-317295-23

Building Control Acts 1990 to 2014

Building Control Authority: Dublin City Council

Building Control Authority Register Reference Number: FSC1224/23/REV

Appeal by Ballymore Properties Limited care of Jensen Hughes of 16 Clanwilliam Terrace, Grand Canal Dock, Dublin in relation to the decision made on the 12th day of May, 2023 by Dublin City Council to grant, subject to conditions, 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 a mixed use scheme accommodated in five blocks A to E, ranging in height from four to 13 storeys, at The Ormond Project, Ashtown, Dublin in accordance with plans and particulars lodged with the said Building Control Authority:

WHEREAS the said appeal relates to condition number 3 attached to the decision of the said Building Control Authority:

AND WHEREAS An Bord Pleanála is satisfied, having regard to the nature of the said condition, 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, as amended by section 6 of the Building Control Act 2007, 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 attach the said condition number 3 and the reason therefor:

Reasons and Considerations

Having regard to the presented design of the development and the accompanying technical compliance report, to the submissions made in connection with the Revised Fire Safety Certificate application and the appeal, and to the report and recommendation of the reporting Inspector, it is considered that, by reference to Clause 14.1.6 of BS 9991 or Clause 14.3.2e of BS 5588: Part 1: 1990, ancillary accommodation should not be served off a single common stairway, the Board was satisfied that the Building Control Authority be therefore directed to attach condition number 3 and the reason therefor. The Board was further satisfied that, subject to the attachment of the conditions, including condition number 3, it has been demonstrated that the building, if constructed in accordance with the design presented with the application and appeal, would comply with the requirements of Part B of the Second Schedule to the Building Regulations 1997, as amended.


Patricia Calleary

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

Dated this *04* day of *April* 2024.