



Building Control Acts 1990 to 2014

Building Control Authority: Dún Laoghaire-Rathdown County Council

Building Control Authority Register Reference Number: FSC2206910DR

Appeal by Kennedy Wilson care of Jensen Hughes of 16 Clanwilliam Terrace, Dublin in relation to the decision made on the 5th day of January 2024 by Dún Laoghaire Rathdown 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 Block L, consisting of nine storeys over a basement car park, at Block L, The Grange, Brewery Road, Stillorgan, County Dublin, in accordance with plans and particulars lodged with the said authority:

WHEREAS the said appeal relates only to condition number 5 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 5 and the reasons therefor.

Reasons and Considerations

Having regard to the presented design of the development and the accompanying technical compliance report, and to the further submissions on file, it is considered appropriate that the Building Control Authority be directed to remove condition 5. As condition 6 outlines the requirement for a sprinkler system in the residential areas of the building, condition 5 is not required. 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, without the provision of a sprinkler system in the basement car park.

Patricia Calleary

Patricia Calleary

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *18* day of *February* 2025.