

Building Control Acts 1990 to 2014

Building Control Authority: Dún Laoghaire Rathdown County Council

Building Control Authority Register Reference Number: FSC2307775DR

Appeal by Dean Neville care of SCA Planning of 17a Bridgecourt Office Park, Walkinstown Avenue, Dublin in relation to the decision made on the 8th day of July 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 a development at Block A, Ard Valley, Old Bray Road, Cabinteely, Dublin in accordance with plans and particulars lodged with the said authority:

WHEREAS the said appeal relates only to condition number 11 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 amend the said condition number 11 to omit part (ii) for the reasons set out below:

Reasons and Considerations

Having regard to the presented design, 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 by the appellant that the provision of a commercial sprinkler protection system at basement level (car park) is not a requirement that is necessary to demonstrate compliance with Technical Guidance Document B - Fire Safety (2006, reprinted 2022) or accordingly to demonstrate compliance with the requirements of Part B of the Second Schedule to the Building Regulations 1997, as amended. Therefore part (ii) of Condition 11 as originally attached by the Building Control Authority to the Fire Safety Certificate is not necessary.



Patricia Calleary

Patricia Calleary

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

Dated this 11th day of June 2025.