



An
Coimisiún
Pleanála

Commission Order
ABP-321275-24

Building Control Acts 1990 to 2014

Building Control Authority: Dublin City Council

Building Control Authority Register Reference Number: FRV2406993DC

Appeal by Alan Geraghty care of Ryan and Associates of 50 Lower Salthill, County Galway, in relation to the decision made on the 1st day of November 2024, by Dublin City Council to refuse 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 for material alterations to previously approved mixed use building – Davitt Road, Dublin. The material alterations comprise the removal of the sprinkler installation in the basement car park, in accordance with the plans and particulars lodged with the said authority:

Decision

Pursuant to the powers conferred on it by section 7 of the Building Control Act, 1990, An Coimisiún Pleanála hereby allows the appeal, based on the Reasons and Considerations set out below, and directs the Building Control Authority to grant a fire safety certificate in accordance with the said plans and particulars and subject to the conditions set out under.

Reasons and Considerations

Having regard to the revised design of this mixed use development, the statutory and supporting documents submitted in connection with the Revised Fire Safety Certificate Application, the documents submitted by the Appellant and the Building Control Authority as part of the appeal, it is considered that it has been demonstrated by the first party appellant that the basement car park does not require sprinkler protection to meet the requirements of Part B of Building Regulations (as per the prima facie guidance set out in Technical Guidance Document B - 2006 (2020 reprint)). Therefore, the refusal of the Revised Fire Safety Certificate Application was considered by the Commission to not be warranted. The Commission was satisfied that, subject to the attachment of two conditions, it has been demonstrated that the revised works, if constructed in accordance with the design presented within the application and appeal, would comply with the requirements of Part B of the second schedule to the Building Regulations 1997, as amended.

Conditions

1. Fixed fire hose reels conforming to I.S. EN 671-1:2012 shall be provided throughout the basement car park. Clearly visible signage shall be provided to indicate the locations of these fixed fire hose reels.

Reason: To comply with the requirements of Regulation B1 of Part B of the Second Schedule of the Building Regulations 1997, as amended.

2. Any circulation route between the basement car park and a lift serving the upper floors shall include two protected lobbies. The outer lobby, i.e. the lobby with a door to the car park, shall be provided with permanent ventilation to the open air not less than 0.4 square metres.

Reason: To comply with the requirements of Regulation B1 of Part B of the Second Schedule of the Building Regulations 1997, as amended.

Patricia Calleary

Patricia Calleary

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate
the seal of the Commission.

Dated this 5th day of August 2025.