

Building Control Acts 1990 to 2014

Building Control Authority: Fingal County Council

Building Control Authority Register Reference Number: FSC3008918

Appeal by James Byrne care of Factfire Limited of Unit 133, Grange Drive, Baldoy Industrial Estate, Dublin in relation to the decision made on the 9th day of December, 2024 by Fingal 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 Fire Safety Certificate: Graymount Apartment development at Graymount, Dungriffin Road, Howth, County Dublin in accordance with plans and particulars lodged with the said authority:

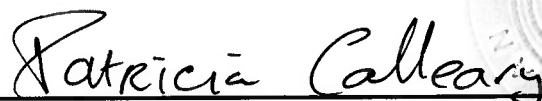
WHEREAS the said appeal relates only to condition number 1 attached to the decision of the Building Control Authority:

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 remove the said conditions number 1 and the reasons therefor:

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, Condition 1, as originally attached by the Building Control Authority to the Fire Safety Certificate, is not necessary.



Patricia Calleary

Member of An Bord Pleanála

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

Dated this 11th day of June 2025.