

Building Control Acts 1990 to 2014

Building Control Authority: Galway City Council

Building Control Authority Register Reference Number: FSC2510829GY

Appeal by Mark Duggan care of Jensen Hughes of Office 3, Monterey Court, Salthill, County Galway in relation to the decision made on the 12th day of March 2025, by Galway City 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 granted for a development at The Hardyman Hotel, Eyre Square, County Galway in accordance with plans and particulars lodged with the said Council.

WHEREAS the said appeal relates only to condition numbers 1 and 2 attached to the decision of the Building Control Authority,

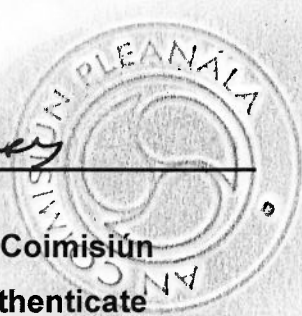
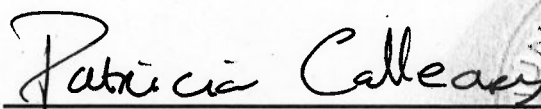
AND WHEREAS An Coimisiún Pleanála is satisfied, having regard to the nature of the said conditions, that the determination by the Commission of the relevant application as if it had been made to it in the first instance would not be warranted,

P.C.

NOW THEREFORE An Coimisiún 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 attach the said conditions numbers 1 and 2 and the reasons therefor.

Reasons and Considerations

Having regard to the presented design for the material alterations 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 Condition number 1 and Condition number 2 as originally attached by the Building Control Authority to the fire safety certificate are reasonable and necessary to satisfy the requirements of Part B, specifically B1 (Means of escape in case of fire) and B5 (Access and facilities for the fire service) of Technical Guidance Document Part B 2006. The Commission concluded, with respect to these conditions, that it has not been demonstrated by the appellant in the fire safety application and appeal documentation that the proposed compensatory measures are sufficient to deem the proposal to meet the requirements of the Building Regulations without the relevant conditions.



Patricia Calleary

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this *8th* day of *October* 2025.