

Building Control Acts 1990 to 2014

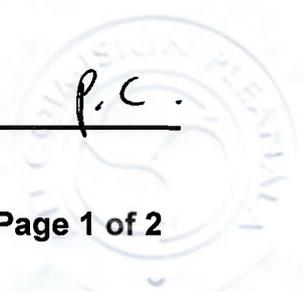
Building Control Authority: Dún Laoghaire-Rathdown County Council

Building Control Authority Register Reference Number: FSC2406786DR/7DN

Appeal by Aeval Limited in relation to the decision made on the 9th day of July 2025, 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 B, Woodbrook Avenue, Shankill, County Dublin in accordance with plans and particulars lodged with the said Council.

WHEREAS the said appeal relates only to condition number 6 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:



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 delete the said condition number 6 and the reason therefor:

Reasons and Considerations

Having regard to the design of the residential building, the submissions made 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 that the building has been designed in compliance with Technical Guidance Document B - Fire Safety (2006, reprinted 2022), including the requirements set out in Section 1.4.9.2 of the guidance in respect of fire protection of lift installations. Therefore, the Commission was satisfied that Condition 6, which would have the effect of requiring the lifts be accessed from within the protected stairs, or be provided with a 60-minute rated fire and smoke curtain, is not necessary to meet the guidance set out in Technical Guidance Document B, or accordingly to demonstrate compliance with Part B of the Second Schedule to the Building Regulations 1997, as amended.

Patricia Calleary

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



Dated this *06* day of *March* 2026.