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**Building Control Acts 1990 to 2014**

**Building Control Authority: Dublin City Council**

**Building Control Authority Register Reference Number: FSC2408816DC/7DN**

**Appeal by** Patrick Power in relation to the decision made on the 11<sup>th</sup> day of September, 2025 by Dublin 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 for the construction of three tower blocks, (named A, B & C) one fourteen storeys and two seven storey blocks, respectively. The towers are proposed to be constructed above a common carpark at ground floor level with amenities and communal spaces provided at first floor podium level at Park West Road, 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 condition number 6, 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 Commission 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 condition number 6 and the reason therefor.

### **Reasons and Considerations**

The Commission had regard to the applicant's present design and Technical Compliance report in support of the Fire Safety Certificate application and appeal and to the report received from the Building Control Authority, and to the requirements of Part B of Technical Guidance Document B – Fire Safety 2006 (reprinted 2020), in particular Section 0.1.5 and 0.3.8 which relate to tall and complex buildings containing flats and which the Commission considered to be of relevance in its assessment of this specific development given the height of the top storey measuring 43 metres is in excess of 30 metres. Under the guidance, buildings containing flats and with a floor level greater than 30 metres may require additional provisions, such as the provision of a sprinkler system, the appropriateness of the smoke control system and other measures. Having considered the form and height of the building (including the height of the top floor at 43 metres) and the relevance guidance, the Commission was satisfied that condition number 6, requiring a sprinkler system, as originally attached by the Building Control Authority to the Fire Safety Certificate is proportionate and reasonable to achieve compliance with the guidance and accordingly to demonstrate compliance with Part B of the Second Schedule to 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** *26<sup>th</sup>* **day of** *May*

**2026.**

