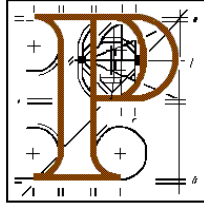


# An Bord Pleanála



BUILDING CONTROL ACTS, 1990 TO 2014

**Dublin City**

**Building Control Authority Register Reference Number: FA/15/1489/REG  
(FSR2595/16/REG)**

An Bord Pleanála Reference Number: 29B.FG.0021

**APPEAL** by Caffè Nero Ireland Limited care of Buchan Kane and Foley of 32 Fitzwilliam Place, Dublin in relation to the decision made on the 10<sup>th</sup> day of October, 2016 by Dublin City Council to refuse a regularisation certificate under section 6 (2)(a)(vii) of the Building Control Act, 1990, as amended by section 5 of the Building Control Act 2007 in respect of material alteration comprising fitting out and furnishing of coffee shop in existing premises at (ground floor and basement) 51-52 King Street South, Dublin in accordance with the plans and particulars lodged with the said Building Control Authority.

**DECISION:** Pursuant to the powers conferred on it by section 7 of the Building Control Act, 1990, as amended by section 6 of the Building Control Act 2007, An Bord Pleanála hereby allows the appeal and directs the Building Control Authority to issue a regularisation certificate, in accordance with the said plans and particulars, based on the reasons and considerations under.

## REASONS AND CONSIDERATIONS

Having regard to the form and layout of the building, to the submissions made in connection with the Regularisation Certificate application and the appeal, and to the report and recommendation of the Inspector, it is considered that the material alterations would not result in any new or greater contravention than previously existing and would achieve an adequate level of fire safety that would satisfy the functional requirements of Part B1 (Means of escape in Case of Fire) of the Second Schedule to the Building Regulations 1997-2014.

### **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Building Control Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this      day of                      2017.**