

An Bord Pleanála



BUILDING CONTROL ACTS, 1990 TO 2014

Dublin City

Building Control Authority Register Reference Number: FA/15/1204

An Bord Pleanála Reference Number: 29B.FS.0514

APPEAL by Kestrel House Developments Limited care of G. Sexton and Partners Limited of Deise House, Link Road, Railway Square, Waterford in relation to the decision made on the 19th day of October, 2015 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 construction of a proposed seven storey office building over basement known as Kestrel House Office Development at Clanwilliam Place, Dublin in accordance with plans and particulars lodged with the said authority:

WHEREAS the said appeal relates to conditions numbers 3, 4 and 5 attached to the decision of the Council:

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 delete the said conditions numbers 3, 4 and 5 and the reasons therefor.

REASONS AND CONSIDERATIONS

Having considered the submissions made in connection with the Fire Safety Certificate application and the appeal together with the report of the Inspector, the form and layout of the proposed office building and the proposed fire safety provisions as set out in the submitted documentation, the Board considered that conditions numbers 3, 4 and 5 are not necessary to achieve compliance with the requirements of Part B1 (Means of Escape in Case of Fire) and Part B5 (Access and Facilities for the Fire Service) of the Second Schedule of the Building Regulations 1997 to 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.

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

Dated this day of 2016.