

An Bord Pleanála



BUILDING CONTROL ACTS, 1990 TO 2014

Dún Laoghaire-Rathdown County

Building Control Authority Register Reference Number: 15/8147

An Bord Pleanála Reference Number: 06D.FS.0516

APPEAL by KSN Project Management Limited care of Michael Slattery and Associates of 19 Windsor Place, Lower Pembroke Street, Dublin in relation to the decision made on the 19th day of November, 2015 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 proposed material alterations arising from the installation of an accommodation stairs between ground and first floor levels of the Sage Office at Block G, Central Park, Leopardstown Road, Dublin in accordance with plans and particulars lodged with the said authority:

WHEREAS the said appeal relates to condition number 1 attached to the decision of the Council:

AND WHEREAS An Bord Pleanála is satisfied, having regard to the nature of the said condition, 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 condition number 1 and the reason therefor.

REASONS AND CONSIDERATIONS

Having regard to the submissions made in connection with the Fire Safety Certificate application and the appeal together with the report of the Inspector, the documented previously approved fire design, and considering the functional requirements under Part B5 (Access and Facilities for The Fire Service) of the Second Schedule of the Building Regulations 1997 to 2014, it is considered that the proposed alterations would not give rise to any new or greater contravention of Part B5. It is also considered that the proposed alterations would not give rise to any new or greater contravention of Part B1, Means of Escape in the Case of Fire, (in particular with regard to protection of escape routes) of the Second Schedule of the Building Regulations 1997 to 2014, Part B3, Internal Fire Spread (Structure) (with regard to restrictions on internal fire spread) of the Second Schedule of the Building Regulations 1997 to 2014 or Part B4, External Fire Spread (with regard to space separation from nearby buildings) of the Second Schedule of the Building Regulations 1997 to 2014, and, therefore, condition number 1 should be removed.

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.