

# An Bord Pleanála



BUILDING CONTROL ACTS, 1990 TO 2014

**South Dublin County**

**Building Control Authority Register Reference Number: 16/6010F**

An Bord Pleanála Reference Number: 06S.FS.0529

**APPEAL** by Department of Education and Skills care of AFEC Limited of 23 Fitzwilliam Square, Dublin in relation to the decision made on the 6<sup>th</sup> day of April 2016 by South Dublin 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 construction of a new school at Holy Family Community School, Killeel Road, Rathcoole, County Dublin in accordance with plans and particulars lodged with the said authority:

**WHEREAS** the said appeal relates only to condition number 4 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 amend the said condition number 4 so that it shall be as follows for the reason set out:

4. The void over the General Purpose Area on the First and Second Floor Level shall be enclosed in toughened laminated glass or similar smoke retarding construction.

**Reason:** To comply with Part B1 (Means of Escape in Case of Fire) of the Second Schedule of the Building Regulations 1997 to 2014.

### **REASONS AND CONSIDERATIONS**

Having regard to the form and layout of the proposed building (as a school with multi-levels open to an atrium), to the submissions lodged in association with the submitted Fire Safety Certificate application and the appeal and to the report and recommendation of the reporting Inspector, it is considered that condition number 4, as amended, is necessary to achieve compliance with Part B1 (Means of Escape in Case of Fire) 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.

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

**Dated this            day of            2016.**