

# An Bord Pleanála



BUILDING CONTROL ACTS, 1990 TO 2014

**Dublin City**

**Building Control Authority Register Reference Number: FA/16/1050**

An Bord Pleanála Reference Number: 29B.FS.0532

**APPEAL** by Ingaro Limited care of Maurice Johnson and Partners of The Anchorage, Charlotte Quay, Dublin in relation to the decision made on the 27<sup>th</sup> day of April, 2016 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 new six storey office building at the site formerly known as the 'Dairy Science Laboratory' (also known as Harcourt Terrace Lane), Dublin in accordance with plans and particulars lodged with the said authority:

**WHEREAS** the said appeal relates only 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 and to amend the said condition number 2 so that it shall be as follows for the reason set out:

2. The proposed works shall be carried out in accordance with the additional particulars submitted by Maurice Johnson and Partners under cover letter dated the 12<sup>th</sup> day of April, 2016.

**Reason:** To comply with Part B of the Second Schedule of the Building Regulations 1997 to 2014.

### **REASONS AND CONSIDERATIONS**

Having regard to the form and layout of the proposed office building and to the proposed access arrangements, to the submissions lodged in connection with the Fire Safety Certificate application and the appeal and to the report and recommendation of the reporting Inspector, it is considered that, notwithstanding the deletion of condition number 1 and subject to the imposition of the amended condition number 2 as set out above, the proposed works would achieve an adequate level of fire safety that would comply with the requirements of Part B of the Second Schedule of the Building Regulations 1997 to 2014.

