

An Bord Pleanála



BUILDING CONTROL ACTS, 1990 TO 2014

Dublin City

Building Control Authority Register Reference Number: FA/16/1137

An Bord Pleanála Reference Number: 29B.FS.0539

APPEAL by Irish Life Assurance Public Limited Company care of Jeremy Gardner Associates of 9 Upper Baggot Street, Dublin in relation to the decision made on the 1st day of June, 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 material alteration to re-develop site by demolishing the public house at the main entrance, reducing the size of the mall, constructing a new retail unit accessed from the public realm and providing a new public entrance to the car park at basement level which includes a new stair, all at Irish Life Centre, Abbey Street Lower, Dublin in accordance with plans and particulars lodged with the said authority:

WHEREAS the said appeal relates only to condition number 2 attached to the decision of the Building Control Authority:

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 remove the said condition number 2 and the reason therefor:

REASONS AND CONSIDERATIONS

Having regard to the form and layout of the building and the limited nature of the proposed material alterations, 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 removal of condition number 2 as set out above, and subject to the imposition of conditions numbers 1, 3, 4 and 5 of the Building Control Authority, the proposed works would achieve an adequate level of fire safety that would comply with the requirements of 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.

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

Dated this day of 2016.