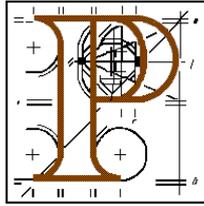


# An Bord Pleanála



BUILDING CONTROL ACTS, 1990 TO 2014

**Donegal County**

**Building Control Authority Register Reference Number: FS/15/117**

An Bord Pleanála Reference Number: 05E.FS.0543

**APPEAL** by Department of Education and Skills care of Maurice Johnson and Partners of The Anchorage, Charlotte Quay, Dublin in relation to the decision made on the 13<sup>th</sup> day of July, 2016 by Donegal 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 three-storey primary school building at Stranorlar, County Donegal 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 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 1 and the reason therefor:

## **REASONS AND CONSIDERATIONS**

Having regard to the design and layout of the proposed primary school building, to the guidance given in Technical Guidance Document B: Fire Safety (Building Regulations 2006), to the supporting guidance given in Building Bulletin 100: Design for fire safety in schools (2007), to the submissions made in connection with the Fire Safety Certificate application and appeal and to the report and recommendation of the reporting inspector, it is considered that, notwithstanding the omission of condition number 1 and subject to the imposition of condition number 2 of the Building Control Authority, the proposed development would achieve an adequate level of fire safety that would ensure compliance with Part B1 (Means of Escape in case of fire) of the Second Schedule to 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.**