

An Bord Pleanála



BUILDING CONTROL ACTS, 1990 TO 2014

Dún Laoghaire-Rathdown County

Building Control Authority Register Reference Number: FA/16/8101/7D

An Bord Pleanála Reference Number: 06D.FS.0546

APPEAL by IKEA Property Investments Limited care of Maurice Johnson and Partners of The Anchorage, Charlotte Quay, Dublin in relation to the decision made on the 6th day of September, 2016 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 and fit out of existing retail unit with new internal layout at Unit 7 The Park, Carrickmines, Dublin in accordance with plans and particulars lodged with the said authority:

WHEREAS the said appeal relates to condition number 2 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 attach the said condition number 2 and the reason therefor.

REASONS AND CONSIDERATIONS

Having regard to the use, form and layout of the building, to the submissions lodged in connection with the Fire Safety Certificate Application and the appeal, to the provisions of Section 3.1.7 of Technical Guidance Document B (Fire Safety) and to the report and recommendations of the reporting Inspector, it is considered that the attachment of condition number 2 is necessary to ensure that the proposed works would achieve an adequate level of fire safety that would satisfy the functional requirements of Part B3 (Internal Fire Spread (Structure)) of the Second Schedule of the Building Regulations 1997 to 2017.

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 2017.