

An Bord Pleanála



BUILDING CONTROL ACTS, 1990 TO 2014

Dublin City

Building Control Authority Register Reference Number: FSC3025/16

An Bord Pleanála Reference Number: 29B.FS.0553

APPEAL by Dublin City University care of Jeremy Gardner Associates of 9 Upper Baggot Street, Dublin in relation to the decision made on the 11th day of January, 2017 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 alterations at ground and first floors, extension of first floor and construction of a new second floor at Student Centre, Dublin City University, Collins Avenue, Glasnevin, 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 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 2 (reason only) so that it shall be as follows for the reason set out:

2. The large voids shown at first floor and second floor levels as indicated on Drawing Number Z1/3221/3/05 Rev B dated 7th day of December, 2016 and Z1/3221/3/06 Rev A dated 14th day of September, 2016 respectively, are all to be enclosed by either solid fire-resisting construction or fire-resisting shutters or curtains may be used as appropriate. The automatic fire-resisting shutters or curtains, are to provide adequate separation between the lower floor and the upper floor to allow for means of escape.
 - they are to operate on the activation of the smoke detection and alarm system and/or power failure.
 - they are to be held rigid in place on operation.
 - there is to be a controlled descent, even in the event of power failure.
 - the path of the automatic roller shutters is to be kept clear at all times to allow the roller shutter to operate unimpeded when required.

Reason: To comply with Part B1 (Means of Escape in Case of Fire) of the Second Schedule of the Building Regulations 1997 to 2017.

REASONS AND CONSIDERATIONS

Having regard to the proposed use, form and layout of the building, to the submissions lodged with the Fire Safety Certificate Application and the appeal and to the report and recommendations of the reporting Inspector, it is considered that the condition number 2 imposed by the Building Control Authority is necessary in order to 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 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.