



An
Bord
Pleanála

Board Order 29B.FS.0555

Building Control Acts 1990 to 2014

Building Control Authority: Dublin City Council

Building Control Authority Register Reference Number: FA/16/1552.

Appeal by Brian Patten and Emer Butler care of FCC of Archway House, Northbrook Road, Ranelagh, Dublin in relation to the decision made on the 22nd day of February, 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 alteration to existing apartment layout including conversion of attic space to provide additional bedroom space at Apartment 38, Block B, Bellvue, Islandbridge, 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 said 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, as amended, and based on the reasons and considerations set out below, hereby directs the said authority to delete the said condition number 2 and the reason therefor:

Reasons and Considerations

Having regard to the form, use and layout of the building, to the fire safety design measures proposed in accordance with BS 9991:2015 which are considered reasonable in the circumstances to demonstrate compliance with part B1 of the Building Regulations, 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, the 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 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