



An
Bord
Pleanála

Board Order 29B.FS.0566

Building Control Acts 1990 to 2014

Building Control Authority: Dublin City Council

Building Control Authority Register Reference Number: FA/17/1130

Appeal by Candle Community Trust care of McGarry Ní Éanaigh Architects of 23 Mountjoy Square, Dublin in relation to the decision made on the 31st day of May, 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/extension to a building; proposed extension (250 square metres) to an existing building. Works will involve minor refurbishment to the existing building and will include alterations to the existing site layout at Candle Community Trust, Post Office Box 1145, Lynch's Lane, Ballyfermot, Dublin in accordance with plans and particulars lodged with the said authority:

WHEREAS the said appeal relates only to condition number 6 attached to the decision of the said 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 delete the said condition number 6 and the reason therefor, and to attach a new condition number 6 so that it shall be as follows for the reason set out:

6. The 'kitchen' at ground floor level shall be enclosed in 30-minute fire resistant construction with FD30S doorsets.

Reason: To comply with Part B1 of the Second Schedule of the Building Regulations, 1997 to 2017.

Reasons and Considerations

Having regard to the proposed form and layout of the building and nature of the proposed works, 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, subject to the removal of condition number 6 and attachment of the replacement condition as set out above, 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 2017.

