



An
Bord
Pleanála

Board Order 29S.FS.0568

Building Control Acts 1990 to 2014

Building Control Authority: Dublin City Council

Building Control Authority Register Reference Number: FA/17/1065/7D

Appeal by Ian O'Grady care of O'Dea and Moore Architects of 9 Castlewood Park, Rathmines, Dublin in relation to the decision made on the 12th day of July, 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 construction of new building comprising new medical surgery building (single storey) at site to rear of 115 Morehampton Road, 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 amend the said condition number 6 so that it shall be as follows for the reason set out.

6. The electromagnetic lock provided on the final exit shall be failsafe open and be provided with a manual override (that is, Green Break Glass Unit). The lock shall be installed in compliance with BS 7273-4 'Code of Practice for the operation of fire protection measures. Actuation of release mechanisms for doors'.

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 use, scale, form and layout of the building, 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 amendment of condition number 6 as set out above, the proposed works and use would achieve an adequate level of fire safety which would comply with the requirements of Part B1 (Means of Escape in case of Fire) of the Second Schedule of the Building Regulations 1997-2017.

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