



An  
Bord  
Pleanála

## Board Order 05G.FS.0570

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### Building Control Acts 1990 to 2014

**Building Control Authority: Donegal County Council**

**Building Control Authority Register Reference Number: FS/16/67**

**Appeal** by Rockhill House Estate Limited care of Jeremy Gardner Associates of Office 3, Monterey Court, Salthill, Galway in relation to the decision made on the 4<sup>th</sup> day of August, 2017 by Donegal 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 refurbishment and change of use of existing four-storey army barracks for use as a function venue with guest accommodation at Rockhill House, Rockhill, Letterkenny, County Donegal in accordance with plans and particulars lodged with the said authority:

**WHEREAS** the said appeal relates only to condition number 5 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 delete the said condition number 5 and the reason therefor.

### **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 deletion of condition number 5, together with the attachment of conditions numbers 1, 2, 3, 4, 6 and 7 of the Building Control Authority, 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 1997-2017.

