

# An Bord Pleanála



BUILDING CONTROL ACTS, 1990 TO 2014

**Dublin City**

**Building Control Authority Register Reference Number: FA16/1187REV**

An Bord Pleanála Reference Number: 29B.FV.0012

**APPEAL** by Dublin City University care of Ryan and Associates of 50 Lower Salthill, Galway in relation to the decision made on the 24<sup>th</sup> day of June, 2016 by Dublin City Council to grant subject to conditions a revised fire safety certificate under section 6 (2)(a)(vi) of the Building Control Act, 1990, as amended by section 5 of the Building Control Act 2007, in respect of material alterations comprising the fit out of office units at second floor level at Innovation House, Dublin City University, Glasnevin, Dublin in accordance with plans and particulars lodged with the said Building Control Authority:

**WHEREAS** the said appeal relates to conditions numbers 1 and 2 attached to the decision of the said Building Control Authority:

**AND WHEREAS** An Bord Pleanála is satisfied, having regard to the nature of the said conditions, 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, as amended by section 6 of the Building Control Act 2007, 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 Building Control Authority to remove the said condition number 2 and the reason therefor and to amend the said condition number 1 so that it shall be as follows for the reason set out:

1. All storage rooms, repair and maintenance workshops, laboratories classified as high hazard, rooms where soldering is carried out and kitchens, shall be enclosed in 30 minutes fire resistance complete with 30 minutes self-closing fire resisting doorsets FD 30S.

**Reason:** To comply with Part B3 Internal Fire Spread (Structure) of the Second Schedule of the Building Regulations 1997-2014.

### **REASONS AND CONSIDERATIONS**

Having regard to the form and layout of the building, to the submissions lodged in connection with the revised Fire Safety Certificate application and the appeal and to the report and recommendation of the reporting Inspector, it is considered that, notwithstanding the deletion of condition number 2 and subject to the imposition of the amended condition number 1 as set out above, the works would achieve an adequate level of fire safety that would comply with the requirements of Part B3 Internal Fire Spread (Structure) of the Second Schedule of the Building Regulations 1997 to 2014.

### **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.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this          day of                  2016.**