

An
Bord
Pleanála

Board Order
ABP-318664-23

Building Control Acts 1990 to 2014

Building Control Authority: South Dublin County Council

Building Control Authority Register Reference Number: FSC2303885SD

Appeal by Rockface Developments Limited care of FCC Fire Cert Limited of Unit A4, Nutgrove Office Park, Rathfarnham, Dublin in relation to the decision made on the 21st day of November, 2023 by South Dublin 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 a new warehouse unit with ancillary office accommodation at Kingswood Road, Citywest Business Park, Dublin in accordance with plans and particulars lodged with the said authority:

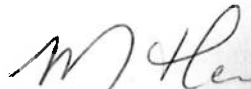
WHEREAS the said appeal relates only to condition number 4 attached to the decision of the Building Control Authority:

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 4 and the reason therefor.

Reasons and Considerations

Having regard to the presented design of the development and the accompanying technical compliance report, to the further submissions made to the Building Control Authority in connection with the Fire Safety Certificate application, to the initial appeal and the Building Control Authority submission to An Bord Pleanála and the appellant's further submission to An Bord Pleanála, it is considered appropriate that the Building Control Authority be directed to remove condition number 4 of its decision and the reason therefor. It has been demonstrated that the building, if constructed in accordance with the design presented with the application and appeal, would comply with the requirements of Part B of the Second Schedule to the Building Regulations 1997, as amended without a sprinkler system.



Mary Henchy

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this *2nd* day of *January* 2025.