



Building Control Acts 1990 to 2014

Building Control Authority: Cork County.

Building Control Authority Register Reference Number: F25037.

Appeal by Robert Riordan and Kevin Harrington care of Nationwide Fire Safety of An Bhanrach, Upper Kilmoney Road, Carrigaline, County Cork in relation to the decision made on the 9th day of April, 2020 by Cork County Council to refuse a regularisation certificate under section 6 (2)(a)(vii) of the Building Control Act, 1990, as amended by section 5 of the Building Control Act 2007 in respect of change of use from retail to café and material alterations at 106 Main Street, Mallow, County Cork in accordance with the plans and particulars lodged with the said Building Control Authority:

Decision

Pursuant to 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, An Bord Pleanála hereby allows the appeal and directs the Building Control Authority to issue a regularisation certificate, in accordance with the said plans and particulars, based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the form and layout of the building, the nature and extent of the change of use, and the material alterations proposed, it is considered that, subject to compliance with the conditions set out below, the proposed change of use and material alterations would achieve an adequate level of fire safety that would comply with the requirements of Part B of the Second Schedule to the Building Regulations, 1997 to 2020.

Conditions

1. Mechanical ventilation and air conditioning systems shall be in accordance with Section 1.4.11 of Technical Guidance Document B – Fire Safety (2006).

Reason: To ensure compliance with B1 of the Second Schedule to the Building Regulations 1997-2020.

2. Fire Safety signs shall be provided in accordance with Section 1.4.13 of Technical Guidance Document B – Fire Safety (2006).

Reason: To ensure compliance with B1 of the Second Schedule to the Building Regulations 1997-2020.

3. The proposed fire detection and alarm system shall be designed and installed in accordance with I.S. 3218:2013 + A1:2019 fire detection and alarm systems.

Reason: To ensure compliance with B1 of the Second Schedule to the Building Regulations 1997-2020.

4. The protection of openings and fire-stopping shall be in accordance with Section 3.4 of Technical Guidance Document B – Fire Safety (2006).

Reason: To ensure compliance with B3 of the Second Schedule to the Building Regulations 1997-2020.

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.

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

Dated this day of 2020.