

An  
Bord  
Pleanála

**Board Direction**  
**BD-015850-24**  
**ABP-316691-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/03/2024.

The Board decided to treat this case under section 40(2) of the Building Control Regulations 1997, as amended. The Board also decided, based on the Reasons and Considerations set out below that the building control authority be directed, as follows:

Remove condition number 2


**Reasons and Considerations**

The Board had regard to the presented design of the proposed storage warehouse building and the details contained in the compliance report, to the submissions made in connection with the Fire Safety Certificate application and the appeal, including the CFD analysis of smoke ventilation and the specific provision for automatic opening vents in the building, and to the report and recommendation of the reporting inspector. The Board also took into account the provisions set out in Part B of Technical Guidance Document B - Fire Safety 2006 (reprinted 2020) [TGD: Part B] and noted that the floor area (600 sq.m) and building use (storage) would, by reference to Table 3.1 (Maximum area and cubic capacity of a building or compartment) of TGD:B, lie below the maximum permitted areas for a building/compartment for the purpose of storage of either normal or high hazard products or materials, where there is no automatic sprinkler system proposed. The Board was satisfied that it has been demonstrated by the first party appellant in the

fire safety application and appeal that there is no requirement to restrict the height of the products to be stored in the building to 4 metres where no automatic sprinkler system is proposed by reference to the threshold for sprinklers set out in Table 3.1 of TGD: B 2010 or the wider provisions contained therein. Accordingly condition number 2 as originally attached by the Building Control Authority to the fire safety certificate is not necessary to meet the guidance set out in TGD: Part B or demonstrate compliance with Part B of the Second Schedule to the Building Regulations 1997, as amended accordingly.

The Board concluded that, subject to the attachment of the remaining conditions (excluding condition 2), 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.

**Board Member**

  
Patricia Calleary

**Date:** 15/03/2024