



An
Coimisiún
Pleanála

Direction
CD-020778-25
ABP-321995-25

The submissions on this file and the Inspector's report were considered at a meeting held on 24/09/2025.

The Commission decided to grant the appeal generally in accordance with the Inspector's recommendation, and the following draft order.

Planning

Commissioner: Eamonn James Kelly
Eamonn James Kelly

Date: 24/09/2025

DRAFT WORDING FOR ORDER

WHEREAS the said appeal relates only to condition numbers 1 and 17 attached to the decision of the Building Control Authority:

AND WHEREAS An Coimisiún Pleanála is satisfied, having regard to the nature of the said conditions, that the determination by the Commission of the relevant application as if it had been made to it in the first instance would not be warranted:

NOW THEREFORE An Commission 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 conditions numbers 1 and 17 and the reasons therefor.

Reasons and Considerations

Having regard to the presented design of the residential development, to the submissions made 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 it has been demonstrated by the first party appellant in the fire safety application and appeal that the ground level car park does not require sprinkler protection to meet the requirements of Part B of Technical Guidance Document B - Fire Safety 2006 (reprinted 2020) [TGD: Part B]. Furthermore, when fitted with fire mains, perimeter access is not considered apart from pump appliance access to within 18 metres of a fire main inlet point. The provision of dry internal fire mains in lieu of high reach access is considered acceptable. Therefore, condition numbers 1 and 17 as originally attached by the Building Control Authority, to the fire safety certificate, are not considered necessary to meet the guidance set out in TGD: Part B or accordingly to demonstrate compliance with Part B of the Second Schedule to the Building Regulations 1997, as amended.