



An  
Coimisiún  
Pleanála

**Direction**  
**CD-020863-25**  
**ABP-322732-25**

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The submissions on this file and the Inspector's report were considered at a meeting held on 01/10/2025.

The Commission decided as follows:

Amend condition number 3.

**Planning**

**Commissioner:**

Patricia Calleary  
Patricia Calleary

**Date:** 02/10/2025

**DRAFT WORDING FOR ORDER**

**WHEREAS** the said appeal relates only to condition number 3 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 so that it shall be as follows for the reason set out below to amend the said condition number 3 so that they shall be as follows for the reason set out:

Amended Condition number three

3. The smoke control system design shall comply with one of the following two options:-

(a) the smoke control system design shall be in accordance with 5.4.3.3 of Technical Guidance Document – B 2006 (2020 reprint). This design shall be developed in accordance with the guidance specified in Section 5.4.3.3 of Technical Guidance Document – B 2006 -B 2006 (2020 reprint) or as otherwise agreed with the Building Control Authority, and a report on the smoke control system design shall be produced by a competent person and shall be submitted to the Building Control Authority for written agreement,

or

(b) the smoke control system design shall be as set out in the CFD Analysis Report submitted with the Fire Safety Certificate application on the 8<sup>th</sup> day of October, 2024 and an automatic sprinkler system in accordance with I.S. EN 16925:2018&LC:2018&AC:2020 shall be installed throughout each warehouse.

**Reason:** To comply with the requirements of Regulation B5 of Part B of the Second Schedule of the Building Regulations 1997, as amended.



## **Reasons and Considerations**

Having regard to the statutory and support documents submitted with the Fire Safety Certificate Application, to the documents submitted by the appellant as part of this appeal, the nature and size of Storage Warehouse 8A and 8B with floor areas of 5136 square metres and 4876 square metres respectively, to the guidance provided in Section 5.4.3.3 (Large Undivided and Windowless Accommodation) of Technical Guidance Documents Part B 2006 (2020 reprint) which recommends the provision of a system for smoke and heat ventilation for such a building when the floor area exceeds 4000 square metres or volumetric areas exceeds 20,000 cubic metres and to the report and recommendations of the reporting inspector, the Commission considered that condition number 3 as originally attached by the Building Control Authority to the decision to grant a Fire Safety Certificate was necessary to satisfy the requirements of section B5 of Part B (Fire) of the Second Schedule of the Building Regulations. The Commission concluded in respect of this condition that it had not been demonstrated by the applicant in the Fire Safety Certificate application and appeal documentation that the CFD Modelling would be compliant with Section 5.4.3.3 of Technical Guidance Documents-B 2006 (2020 reprint). The Commission was, therefore, satisfied to attach condition number 3 with amendments.