



An
Coimisiún
Pleanála

Direction
CD-022219-26
ACP-323839-25

The submissions on this file and the Inspector's report were considered at a meeting held on 26/05/2026.

The Commission decided based on the Reasons and Considerations set out below that the Building Control Authority be directed, as follows:

Attach condition number 3

Delete Condition 12

Planning

Commissioner:

Patricia Calleary
Patricia Calleary

Date: 22/05/2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

Condition 3

The Commission had regard to the applicant's presented design and Technical Compliance report in support of the Fire Safety Certificate application and appeal, to the report received from the Building Control Authority and the report and recommendation of the reporting inspector and to the requirements of Part B of Technical Guidance Document B - Fire Safety 2006 (reprinted 2020) [TGD: Part B], in particular Section 1.4.9.2 which states "Lift wells should be either contained within

the enclosures of a protected stairway or be enclosed throughout their height with fire-resisting construction if they are sited such as to prejudice the means of escape". Noting the layout presented concerning the passenger lift in Core 2 which is not located within the protected stairway or enclosed throughout their height with fire-resisting construction and is sited such as to prejudice the means of escape from the apartments, the Commission concluded that the requirement for the passenger lift to be accessed within the enclosure of the protected stair or be provided with a 60-minute rated fire and smoke curtain in front of the lift landing doors at each level, as required by Condition 3 attached by the Building Control Authority, to be proportionate and reasonable to achieve compliance with the guidance and accordingly to demonstrate compliance with Part B of the Second Schedule to the Building Regulations 1997, as amended.

Condition 12

Having regard to the presented design of Block A and the compliance report, 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 appellant in the fire safety application and appeal that the basement 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] and the submitted technical compliance report otherwise details proposals for sprinkler coverage in accordance with BS 9251:2021 proposed to all apartments accessed by a ventilated corridor and to common corridors (but not the basement car park). Therefore, condition number 12 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 accordingly to demonstrate compliance with Part B of the Second Schedule to the Building Regulations 1997, as amended.