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**Building Control Acts 1990 to 2014**

**Building Control Authority: Sligo County Council**

**Building Control Authority Register Reference Number: FSC 17/031**

**Appeal** by Hazelwood Demesne Limited care of Maurice Johnson and Partners of The Anchorage, Charlotte Quay, Dublin in relation to the decision made on the 27<sup>th</sup> day of September, 2018 by Sligo County Council to grant subject to conditions a fire safety certificate under section 6 (2)(a)(ii) of the Building Control Act, 1990, as amended by section 5(a) of the Building Control Act 2007 in respect of change of use and material alterations of existing industrial premises to create a whiskey distillery and associated warehousing facility at Hazelwood House/Saehan Media, Hazelwood Avenue, Sligo in accordance with plans and particulars lodged with the said authority:

**WHEREAS** the said appeal relates only to condition number 6 attached to the decision of the Council:

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

**NOW THEREFORE** An Bord 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 amend the said condition number 6 so that it shall be as follows for the reason set out:

6. An automatic sprinkler system shall be provided within Warehouses Numbers 1, 2, 4, 5 and 6 and the retail space of the facility, including the store room. The automatic sprinkler system shall comply with IS EN 12845:2015 (Fixed fire-fighting systems - automatic sprinkler systems – design, installation and maintenance) and shall take account of the proposed contents and stack heights. The system shall include a stored water capacity sufficient to enable sprinkler operation for a minimum of 60 minutes.

**Reason:** To comply with Part B3 (Internal Fire Spread (Structure)) of the Second Schedule of the Building Regulations, 1997 to 2017.

## **Reasons and Considerations**

In arriving at its decision, the Board had regard to the Fire Safety Certificate application for the change of use and material alterations of an existing industrial premises to create a whiskey distillery and associated warehousing facility, to the submissions lodged in connection with the Fire Safety Certificate application and the appeal and to the report and recommendation of the reporting Inspector, is considered that, subject to the amendment of condition number 6 as set out above, the proposed works would achieve an adequate level of fire safety that would comply with the requirements of Part B3 (Internal Fire Spread (Structure)) of the Second Schedule of the Building Regulations, 1997 to 2017.

## **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.

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**Stephen Bohan**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2019.**