



---

**Building Control Acts 1990 to 2014**

**Building Control Authority: Galway County Council**

**Building Control Authority Register Reference Number: FS 94/2017**

**Appeal** by Lidl GmbH Ireland Limited care of Knapton Consulting Engineers of 76A Upper Georges Street, Dún Laoghaire, County Dublin in relation to the decision made on the 21<sup>st</sup> day of October, 2019 by Galway County Council to grant subject to conditions a Seven Day Notice - 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 material alterations to an existing warehouse premises to form a single compartment, circa 3,747 square metres, to be used as a Lidl distribution centre. Material alterations include the construction of a compartment wall, one number additional final exit, and one number additional roller shutter door at Poolboy, Ballinasloe, County Galway in accordance with plans and particulars lodged with the said authority:

**WHEREAS** the said appeal relates only to conditions numbers 2, 3 and 6 attached to the decision of the Council:

**AND WHEREAS** An Bord Pleanála is satisfied, having regard to the nature of the said conditions, 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 delete conditions numbers 2, 3 and 6 and the reason therefor:

### **Reasons and Considerations**

In arriving at its decision, the Board had regard to the Seven Day Notice - Fire Safety Certificate application and the details that formed part of the application, the subsequent submissions made in connection with the appeal, and the reporting Inspector's report and recommendation.

It is considered that in relation to the works to the building, comprising material alterations and sub-division of a storage building, which are the subject matter of the fire safety certificate application and subject to the removal of condition numbers 2, 3 and 6, the proposed works would achieve an adequate level of fire safety that would demonstrate compliance with the requirements of Part B 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.

---

**Stephen Bohan**

**Member of An Bord Pleanála**

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

**Dated this            day of            2020.**