



Building Control Acts 1990 to 2014

Building Control Authority: Cork County Council

Building Control Authority Register Reference Number: 19/RFSC/S/1283

Appeal by Dunnes Stores care of Michael Slattery Associates of 19 Windsor Place, Lower Pembroke Street, Dublin in relation to the decision made on the 6th day of November, 2019 by Cork County Council to grant subject to conditions a revised fire safety certificate under section 6 (2)(a)(vi) of the Building Control Act, 1990, as amended by section 5 of the Building Control Act 2007, in respect of revisions to design approved under previously granted Fire Safety Certificate 19/FSC/S/1037 at Dunnes Stores, Bandon Road, Bishopstown, County Cork in accordance with plans and particulars lodged with the Building Control Authority:

WHEREAS the appeal relates to condition number 2 attached to the decision of the Building Control Authority:

AND WHEREAS An Bord Pleanála is satisfied, having regard to the nature of the 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, as amended by section 6 of the Building Control Act 2007, and by Article 40 (2) of the Building Control Regulations, 1997, and based on the Reasons and Considerations set out below, hereby directs the Building Control Authority to remove condition number 2 and the reason therefor.

Reasons and Considerations

In arriving at its decision, the Board had regard to the Revised Fire Safety Certificate application, 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, notwithstanding the removal of condition number 2, the design of the building to which this application and appeal relates, would demonstrate compliance with Part B1 (Means of Escape) of the Second Schedule to the Building Regulations 1997 to 2020 as the level of fire detection and fire alarm systems proposed (L1) is considered acceptable for the achievable travel distance.

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.

Chris McGarry

Member of An Bord Pleanála

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

Dated this day of 2020.