



Building Control Acts 1990 to 2014

Building Control Authority: Kildare County Council

Building Control Authority Register Reference Number: FSC 19/052

Appeal by Jewelfield Limited care of Maurice Johnson and Partners of The Anchorage, Charlotte Quay, Dublin in relation to the decision made on the 6th day of April, 2020 by Kildare 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 the change of use and material alteration of existing industrial premises to create a whiskey distillery and visitor centre at Ballykelly Mills, Monasterevin, Count Kildare in accordance with plans and particulars lodged with the said authority:

WHEREAS the said appeal relates only to conditions numbers 2 and 3 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 the said conditions number 2 and 3 and the reasons therefor:

Reasons and Considerations

It is considered that the provision of a sprinkler system, and a compartment floor at second floor level, are not required in order to ensure compliance with Part B3 of the Second Schedule to the Building Regulations 1997-2020.

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.



John Connolly

Member of An Bord Pleanála

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



Dated this *14th* day of *JUNE* 2021.