



An
Bord
Pleanála

Board Order
ABP-308221-20

Building Control Acts 1990 to 2014

Building Control Authority: Meath County Council.

Building Control Authority Register Reference Number: FS/20008.

Appeal by Hickwell Limited care of Michael Murphy of Woodbine, Powerstown, Clonmel, County Tipperary in relation to the decision made on the 27th day of August, 2020 by Meath 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 erection of a storage unit and associated site works at Unit A02, Hub Logistics Park, Clonee, County Meath in accordance with plans and particulars lodged with the said authority:

WHEREAS the said appeal relates only to condition number 4 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 conditions numbers 4 and 5 so that they shall be as follows for the reasons set out:

4. The building shall be fitted with a suitable automatic sprinkler system which shall be designed, installed and maintained in accordance with IS EN 12845:2015 (+AC:2016) (+A1:2019) including Annex F requirements.

Reason: To ensure compliance with Part B1 of the Second Schedule to the Building Regulations, 1997-2020.

5. The products stored within the building or part thereof which are the subject of this application shall exclude high risk or hazardous materials as detailed in section E3 of Appendix E of Technical Guidance Document B – Fire Safety (2006).

Reason: To ensure compliance with Part B3 of the Second Schedule to the Building Regulations, 1997-2020.

REASONS AND CONSIDERATIONS

In arriving at its decision, the Board had regard to the Fire Safety Certificate application for the new storage unit and associated works, including the design and details initially submitted and the subsequent submissions made in connection with the application and appeal, and to the consultant inspector's report and recommendation. The Board also noted that there is no end user identified for the warehouse and, therefore, the application is catering for a full range of non-hazardous goods in various potential configurations, including high-rack storage.

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  2021.