

An
Coimisiún
Pleanála

Commission Order
ABP-322732-25

Building Control Acts 1990 to 2014

Building Control Authority: Cork County Council

Building Control Authority Register Reference Number: FSC2407196CC

Appeal by Christopher Murnane care of PMCG Consulting Engineers and Project Management of 77 Main Street, Macroom, County Cork in relation to the decision made on the 6th day of May, 2025 by Cork 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 a fire safety certificate for development comprising construction of a portal framed storage warehouse building Unit 8, incorporating ancillary two-storey office space at Anchor Park, Courtown, Little Island, County Cork in accordance with plans and particulars lodged with the said Council.

WHEREAS the said appeal relates only to condition number 3 attached to the decision of the Building Control Authority:

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

P.C.

NOW THEREFORE An Commission 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 3 so that it shall be as follows for the reasons set out:

3. The smoke control system design shall comply with one of the following two options:-

(a) the smoke control system design shall be in accordance with 5.4.3.3 of Technical Guidance Document – B 2006 (2020 reprint). This design shall be developed in accordance with the guidance specified in Section 5.4.3.3 of Technical Guidance Document – B 2006 -B 2006 (2020 reprint) or as otherwise agreed with the Building Control Authority, and a report on the smoke control system design shall be produced by a competent person and shall be submitted to the Building Control Authority for written agreement;

or,

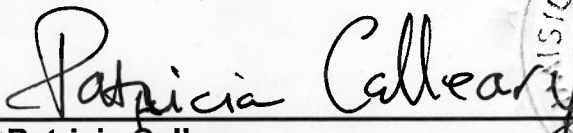
(b) the smoke control system design shall be as set out in the CFD Analysis Report submitted with the Fire Safety Certificate application on the 8th day of October, 2024 and an automatic sprinkler system in accordance with I.S. EN 16925:2018&LC:2018&AC:2020 shall be installed throughout each warehouse.


Reason: To comply with the requirements of Regulation B5 of Part B of the Second Schedule of the Building Regulations 1997, as amended.

P.C.

Reasons and Considerations

Having regard to the statutory and support documents submitted with the Fire Safety Certificate Application, to the documents submitted by the appellant as part of this appeal, the nature and size of Storage Warehouse 8A and 8B with floor areas of 5136 square metres and 4876 square metres respectively, to the guidance provided in Section 5.4.3.3 (Large Undivided and Windowless Accommodation) of Technical Guidance Documents-B 2006 (2020 reprint) which recommends the provision of a system for smoke and heat ventilation for such a building when the floor area exceeds 4000 square metres or volumetric areas exceeds 20,000 cubic metres and to the report and recommendations of the reporting inspector, the Commission considered that condition number 3 as originally attached by the Building Control Authority to the decision to grant a Fire Safety Certificate was necessary to satisfy the requirements of section B5 of Part B (Fire) of the Second Schedule of the Building Regulations. However, the Commission, in agreement with the Planning Inspector, considered that the inclusion of option b would also satisfy the same requirements. The Commission concluded in respect of this condition that it had not been demonstrated by the applicant in the Fire Safety Certificate application and appeal documentation that the CFD Modelling would be compliant with Section 5.4.3.3 of Technical Guidance Documents-B 2006 (2020 reprint). The Commission was, therefore, satisfied to attach condition number 3 with amendments.


Patricia Calleary
Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.



Dated this 3rd day of October 2025.