



An
Coimisiún
Pleanála

Commission Order
ACP-323785-25

Building Control Acts 1990 to 2014

Building Control Authority: Kilkenny County Council

Building Control Authority Register Reference Number: FSC/25/063

Appeal by Tirlán Limited in relation to the decision made on 26th day of August 2025, by Kilkenny 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 development at Tirlán, Ballyconra, Ballyragget, County Kilkenny,

WHEREAS the said appeal relates only to Condition numbers 9,10 and 23 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,

NOW THEREFORE An Coimisiún 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 remove the said condition numbers 9,10 and 23 and the reasons therefor.

Reasons and Considerations

Having regard to the design and layout of the proposed development, the statutory and supporting documents submitted in connection with the Fire Safety Certificate application, the documents submitted by the applicant and the Building Control Authority as part of the appeal, and to the report and recommendation of the reporting Inspector, it is considered that it has been demonstrated by the first party applicant/appellant that the attachment of Condition numbers 9, 10 and 23 are not required to meet the requirements of Part B of Building Regulations, demonstrated through compliance of the design with the prima facia guidance, as set out in the Technical Guidance Document B – 2006 (2020 reprint).

Specifically in relation to Condition number 9, the Commission agreed with the Inspector that the upgrading of the refrigerant gas installation is outside the scope of the application submitted and that the material alterations proposed do not give rise to new or greater contravention of Part B of the Building Regulations.

In relation to Condition number 10, the Commission also agreed with the Inspector that no new or greater contravention has been introduced by the material alterations involved with the introduction of the new offices and, therefore, no localised suppression system is required to demonstrate compliance with Part B of the Building Regulations.

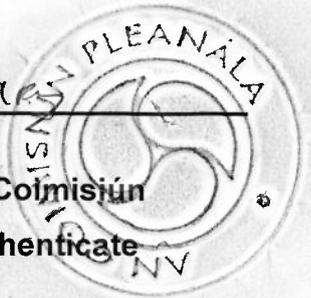
In relation to Condition number 23, the introduction of the new office space to the despatch area does not warrant an analysis of the radio communications coverage as this matter falls outside of the specific requirements of Part B of the Building Regulations. Therefore, the attachment of these conditions to the grant of the Fire Safety Certificate is not warranted.

Patricia Calleary

Patricia Calleary

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 11th day of March 2026.