



Building Control Acts 1990 to 2014

Building Control Authority: Kildare County Council

Building Control Authority Register Reference Number: FSC2512604KE

Appeal by Jason Lee in relation to the decision made on the 28th day of October 2025, 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 development at Site 30C Naas Enterprise Park, Naas, County Kildare 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,

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 they shall be as follows for the reasons set out:

Condition 3:

3. The building or part thereof shall only be used to store “normal risk” goods and shall not store “high risk” goods as assessed by reference to Appendix E Assessment of Risk in Industrial and Storage Buildings of Technical Guidance Document Part B 2006 + A1 2020) unless a suitable automatic sprinkler system is designed, installed and maintained in accordance with IS EN12845:2015 +AC:2019 (or any relevant updates to the standard) or an equivalent relevant sprinkler system.

Reason: To ensure compliance with Part B of the Building Regulations 1997, as amended.

Reasons and Considerations

Having regard to the presented design of the building and the accompanying technical compliance report, to the submissions made in relation to the Fire Safety Certificate application and appeal, the relevant guidance contained in Technical Guidance Document Part B 2006 + A1 2020, and the recommendation of the reporting Inspector, it is considered that condition number 3, as originally attached by the Building Control Authority to the Fire Safety Certificate was not necessary to satisfy the requirements of Technical Guidance Document Part B 2006 + A1 2020.

The Commission was therefore satisfied that amending the relevant condition would be appropriate to capture the requirements for the current intention for storage of “normal risk” goods and any potential change to storage of “high risk” goods that may occur within the building.

Patricia Calleary.

Patricia Calleary

Planning Commissioner of An Coimisiún

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



Dated this *29th* day of *April* 2026.