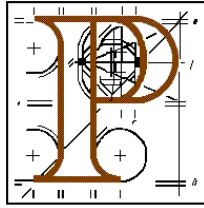


# An Bord Pleanála



BUILDING CONTROL ACTS, 1990 TO 2014

**Fingal County**

**Building Control Authority Register Reference Number: 16/4059/7D**

An Bord Pleanála Reference Number: 06F.FS.0548

**APPEAL** by McArdle Skeath care of Pro-Fire of Suite 2164, Fitzwilliam Business Centre, 26 Upper Pembroke Street, Dublin in relation to the decision made on the 19<sup>th</sup> day of September, 2016 by Fingal 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 construction of a new single storey warehouse building with an ancillary mezzanine level with a two-storey office accommodation joined on to it at Goddamendy, Mulhuddart, Dublin in accordance with plans and particulars lodged with the said authority:

**WHEREAS** the said appeal relates to conditions numbers 1, 2, 3, 4 and 6 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 attach the said condition number 6 and the reason therefor and to amend the said conditions numbers 1, 2, 3 and 4 so that they shall be as follows for the reasons set out:

1. Hosereels shall be provided throughout the building - other than the office area - in accordance with BS 5306 - 1:2006.

**Reason:** To comply with Part B1 (Means of Escape in case of Fire) of the Second Schedule of the Building Regulations 1997 to 2017.

2. Facilities for the ventilation of smoke and heat for the purposes of assisting the fire service in the protection of life and property shall be provided in the building in accordance with Section 5.4.3.3 (Large undivided and windowless spaces) of Technical Guidance Document B, 2006. Details of the venting provisions shall be agreed in writing with the Building Control Authority prior to the occupation of the building in full or in part.

**Reason:** To comply with Part B5 (Access and Facilities for the Fire Service) of the Second Schedule of the Building Regulations 1997 to 2017.

3. Fire-fighting water provisions, including on-site supplementary static storage as necessary, shall be provided and suitably sized to take account of the likely fire size at fire service intervention. Details of these provisions shall be agreed in writing with the Building Control Authority prior to occupation of the building in whole or in part.

**Reason:** To comply with Part B5 (Access and Facilities for the Fire Service) of the Second Schedule of the Building Regulations 1997 to 2017.

4. Access for high-reach appliances shall be provided to 100% of the perimeter of the building. Details of the proposed provisions to satisfy this requirement shall be submitted to, and agreed in writing with, the Building Control Authority prior to occupation of the building in whole or in part. In the case of the southern elevation, account shall be taken of operating parameters of the Dublin Fire Brigade turntable ladders in the sizing of hardstanding.

**Reason:** To comply with Part B5 (Access and Facilities for the Fire Service) of the Second Schedule to the Building Regulations 1997 to 2017.

### **REASONS AND CONSIDERATIONS**

Having regard to the proposed use, form and layout of the building, to the submissions lodged with the Fire Safety Certificate application and the appeal and to the report and recommendations of the reporting Inspector, it is considered that, subject to the attachment of condition number 6 and the amendment of conditions numbers 1, 2, 3 and 4, the proposed building and works would achieve an adequate level of fire safety that would comply with the requirements of Part B1 (Means of Escape in case of Fire) and Part B5 (Access and Facilities for the Fire Service) of the Second Schedule of the Building Regulations 1997 to 2017.

## **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.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2017.**