

**An  
Bord  
Pleanála**

**Board Direction  
BD-016339-24  
ABP-316262-23**

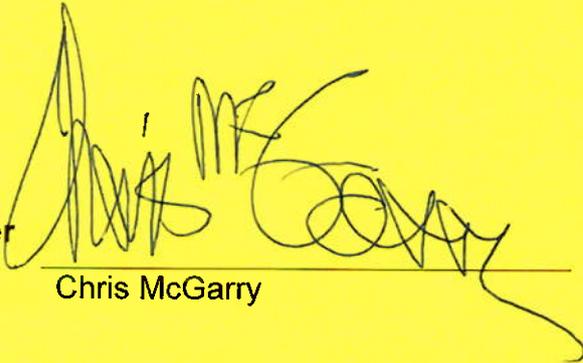
The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/05/2024.

The Board decided to allow the appeal and to direct the Building Control Authority to issue the Disability Access Certificate with the omission of condition No. 2.

### **Reasons and Considerations**

Having regard to the provisions of the Building Regulations 1997, as amended, including Part M of the second schedule attached to the regulations, to the nature and layout of the proposed works and the submissions made in connection with the Disability Access Certificate application and appeal and to the guidance set out in Technical Guidance Document M (Access and Use) 2010, it is considered that the works to which the application and appeal relates would, if constructed in accordance with the plans, calculations, specifications and particulars submitted, and subject to compliance with condition no. 1 as set out in the Disability Access Certificate dated 14<sup>th</sup> March 2023, comply with the requirements of Part M of the Second Schedule to the Building Regulations 1997, as amended.

In arriving at its decision to omit condition no. 2, the Board determined that all relevant obligations of Part M related to the development are sufficiently captured in condition no.1 and that condition no. 2 is not necessary by reference to the duplex units which form the subject of this Disability Certificate Application.

**Board Member**  **Date:** 16/05/2024  
Chris McGarry