



An
Bord
Pleanála

Board Direction
BD-017118-24
ABP-318646-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 25/07/2025.

The Board decided to refuse the appeal against the Building Control's decision to refuse the revised disability access certificate, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

The board is not satisfied that adequate information has been submitted on the drawings and as part of the technical report and further submissions received such as is required to adequately demonstrated that the works or building to which the application relates, if constructed in accordance with the plans, calculations, specifications and particulars submitted, would comply with the requirements of Part M (Access and Use) of the Second Schedule to the Building Regulations 1997, as amended.

Notwithstanding the above reasons for not allowing the appeal, the Board shared the view of the inspector that, taking account of the technical guidance set out in TGD: Part M 2010, being the applicable TGD for the assessment of the application and appeal before the Board, that level access to the balcony areas within the private apartments, while desirable, are not a requirement under Part M of the current applicable building regulations. Accordingly, the Board shared the view of the inspector that Reason number 1 and 2 as attached by the BCA in its refusal reasons should not form part of the Board's reason for refusal and accordingly the Board did not include these reasons to its decision.

Board Member

Patricia Calleary

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Date: 26/07/2024