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Bord  
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**Board Direction**  
**BD-018191-24**  
**ABP-319945-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/11/2023.

The Board decided to allow the appeal and to **remove condition 9** as set out below for the reasons and considerations that follow.

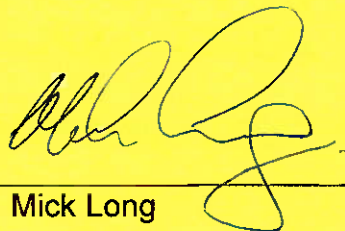
**Reasons and Considerations:**

Having regard to the presented design of the proposed residential development and the accompanying compliance report, to the submissions made in connection with the Disability Access Certificate application and the appeal, and to the report and recommendation of the reporting inspector, it is considered that it has been demonstrated by the appellant that the provision of level access to the external balconies of individual apartments is not required in order to meet the requirements of Part M of the Second Schedule to the Building Regulations (as amended). It is considered that the proposed works if constructed in accordance with the design presented with the application and the appeal, would comply with the requirements of Part M of the second schedule to the Building Regulations (as amended). Therefore, condition No.9 as originally attached by the Building Control Authority to the Disability Access Certificate is not necessary to meet the guidance set out in TGD Part M 2022 or accordingly to demonstrate compliance with Part M of the Second Schedule to the Building Regulations (as amended).

**Condition 9:** Level access should be provided to each external terrace/balcony areas.

Reason: To ensure that all facilities within the building are accessible and useable and that they are constructed to facilitate active participation.

**Board Member**



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Mick Long

**Date:** 14/11/2024