

An
Coimisiún
Pleanála

Direction
CD-022410-26
ACP-324224-26

The submissions on this file were considered at a meeting held on 26/08/2026.

The Commission to remove conditions 5,7 and 8 and retain condition 12 generally in accordance with the Inspectors recommendation and for the reasons set out below.

An Coimisiún Pleanála, in exercise of the powers conferred on it by section 7 of the Building Control Act, 1990, as amended by section 6 of the Building Control Act 2007, 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 Building Control Authority to remove the said conditions numbers 5, 7 and 8 (1 below) and to amend the said condition number 12 so that it shall be as follows for the reasons set out in 2 below:

Reasons and Considerations 1

Having regard to the presented design of the proposed 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, the Commission considered that it has been demonstrated by the appellant in the Disability Access Certificate application and appeal that the requirements of conditions 5, 7 & 8 are not required in order to meet the requirements of Part M of the Second Schedule to the Building Regulations 1997, as amended. Therefore conditions 5, 7 & 8 as originally attached by the Building Control Authority to the Disability Access Certificate are not necessary to meet the guidance set out in TGD Part M 2022.

Reasons and Considerations 2

Having regard to the presented design of the proposed 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, the Commission considered that it has not been demonstrated by the appellant in the Disability Access Certificate application and the appeal that the requirements of condition number 12 is not required in order to meet the requirements of Part M of the Second Schedule to the Building Regulations 1997, as amended. Therefore, a condition is necessary to meet the guidance set out in Technical Guidance Document Part M 2022, Section 1.5.5 (b) or accordingly to demonstrate compliance with Part M of the Second Schedule to the Building Regulations 1997, as amended.

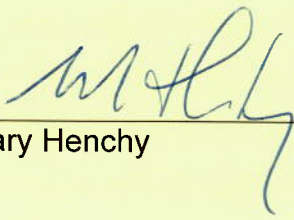
Condition

Appropriate provisions for the working surface of a bar or serving counter, comprising a 1200 millimetres (minimum) long section of counter at a level not more than 850 millimetres above the floor together with a minimum clear manoeuvring space of 1800 millimetres by 1800 millimetres shall be made as per section 1.5.5 of Technical Guidance Document Part M 2022.

Planning

Commissioner:

Date: 26/08/2026



Mary Henchy