An Coimisiún Pleanála

Direction
CD-022606-26
ACP-324480-26

The submissions on this file and the Inspector's report were considered at a meeting held on 03/11/2026.

The Commission decided to treat this case under section 139 of the Planning and Development Act, 2000. The Commission also decided, based on the Reasons and Considerations set out below / set out on the attached copy of the Inspector's report, that the planning authority be directed, as follows:

Amend condition number 9 to read as follows:

9. Switches, outlets and controls located within the common areas (stairs, lobbies, corridors and landlord/tenant area) shall comply with Section 1.5.7 of TGD Part M 2022.

Reason: To make adequate provision for building users to access and use the building and its facilities

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 in the Disability Access Certificate application and

appeal that there is potential ambiguity in the wording of Condition 9 in order to meet the requirements of Part M of the Second Schedule to the Building Regulations 1997, as amended. Therefore, condition number 9 as originally attached by the Building Control Authority to the Disability Access Certificate should be amended 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 1997, as amended. It is considered that the proposed works, if constructed in accordance with the design presented with the application and the appeal (with Condition 9 amended), would comply with the requirements of Part M to the second schedule to the Building Regulations 1997, as amended.

Planning Commissioner: Patricia Calleary **Date:** 16/09/2026

Patricia Calleary