



Building Control Acts 1990 to 2014

Building Control Authority: Dublin City Council

Building Control Authority Register Reference Number: DAC/2018/0298

Appeal by James Sheehan care of Des Fortune and Associates Limited of Unit 1, Cranford Centre, Montrose, Dublin in relation to the decision made on the 20th day of July, 2018 by Dublin City Council to refuse a disability access certificate under section 6 (2)(a)(ix) of the Building Control Act, 1990, as amended by section 5 of the Building Control Act 2007 in respect of the changing of bedsits to apartments and the provision of a third floor extension with new apartment at 22 Little Mary Street, Dublin in accordance with the plans and particulars lodged with the said Building Control Authority:

Decision

Pursuant to 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, An Bord Pleanála hereby allows the appeal and directs the Building Control Authority to issue a disability access certificate, in accordance with the said plans and particulars, based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

It is considered that, subject to the issue of a Disability Access Certificate with the inclusion of the conditions as set out below, the works would comply with the requirements of Part M of the Second Schedule to the Building Regulations 1997 to 2017.

Conditions

1. Any modifications to the shopfront required by condition number 2B attached to the original permission, planning register reference number 2785/13, shall ensure that level thresholds are provided from the street and that the two main entrance doors provide an adequate clear width of 1,000 millimetres, in accordance with Technical Guidance Document M 2010, section 1.2, Table 2.

Reason: To facilitate safe and independent use of the building.

2. The new stairs from the ground floor retail unit to the basement below shall be constructed strictly in accordance with the guidance in Technical Guidance Document M 2010, section 2.3.4.3, (which refers to section 1.3.4, that is, a maximum rise of 1,800 millimetres per flight).

Reason: To facilitate safe and independent use of the building.

3. The 60-minute protected lobby between the entrance hall to the apartments and the bike/bin store on the ground floor, which is required by condition number 1 of the Fire Safety Certificate granted under register reference number FSC2336/18/7D, shall be constructed strictly in accordance with the guidance in Technical Guidance Document M 2010, section 1.2.5 and Diagram 11.

Reason: To facilitate safe and independent use of the building.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Building Control Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Michelle Fagan

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.