



Building Control Acts 1990 to 2014

Building Control Authority: Dublin City Council .

Building Control Authority Register Reference Number: DAC/2018/0363.

Appeal by Saint Michael's College care of Goldsmith Engineering of Mount Pleasant Business Centre, Ranelagh, Dublin in relation to the decision made on the 20th day of August, 2018 by Dublin City Council to grant subject to conditions 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 material alterations/refurbishment works in a number of rooms within the building. These works will include the conversion of the "common room" into two general purpose rooms, a revised layout of the assembly/study area, upgrades to the stage area in the assembly hall and other minor alterations to the existing store rooms on both the ground and second floor, all at Saint Michael's College, Ailesbury Road, Dublin in accordance with plans and particulars lodged with the said Building Control Authority:

WHEREAS the said appeal relates to conditions numbers 3 and 4 attached to the decision of the said Building Control Authority:

AND WHEREAS An Bord Pleanála is satisfied, having regard to the nature of the said conditions, that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted:

NOW THEREFORE An Bord 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 3 and 4 and the reasons therefor, and to attach a new condition so that it shall be as follows for the reason set out:

Further Condition

The new stairs being provided to access the existing raised stage shall comply with the guidance in Section 2.3.4.3, “Internal stairs suitable for ambulant disabled people” of the 2010 edition of the Technical Guidance Document M.

Reason: To comply with the requirements of Part M of the Second Schedule to the Building Regulations 1997 to 2017

Reasons and Considerations

Having regard to the form, use and layout of the existing building, to the nature and extent of the works proposed, to the provisions of Technical Guidance Document M (2010), to the submissions lodged 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, subject to the attachment of a new condition as set out above and notwithstanding the removal of condition numbers 3 and 4, the proposed works would comply with the requirements of Part M (Access for people with Disabilities) of the Second Schedule of the Building Regulations 1997 to 2017.

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.