



---

**Building Control Acts 1990 to 2014**

**Building Control Authority: Wexford County Council**

**Building Control Authority Register Reference Number: DAC056/18**

**Appeal** by Kiltealy Hall Development Group care of Staples Owley Limited of M6, Wexford Enterprise Centre, Kerlogue, Wexford in relation to the decision made on the 11<sup>th</sup> day of October, 2018 by Wexford County 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 change of use of existing hand ball alley to multi-purpose community room and installation of first floor over proposed multi-purpose community room to extend existing gym on first floor with associated site works, all at Kiltealy Parochial Hall, Kiltealy, County Wexford in accordance with 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 condition set out below.**

## Reasons and Considerations

Having regard to the submissions lodged in connection with the Disability Access Certificate for the material change of use of a ball alley to a multi-purpose community building and material alterations which would provide an extension to the existing gym at first floor level, to the submissions made in connection with the appeal, and to the report and recommendation of the reporting Inspector, to the form and layout of the existing building, and to the nature of the proposed works, it is considered that, subject to compliance with the amended condition number 1 and omission of conditions numbers 2 and 3, it is considered that the works proposed would comply with the requirements of Part M of the Second Schedule to the Building Regulations 1997-2017.

## Condition

The works shall be carried out in accordance with the revised plans and revised report submitted to the planning authority on the 8<sup>th</sup> day of October and on the 11<sup>th</sup> day of October, 2018, shall comply with Part M of the Second Schedule to the Building Regulations 1997 to 2017, and shall include the following amendments;

- (a) the landing at the top of the ramp at Exit 3, shall be increased to at least 1800 millimetres wide and 1800 millimetres long and shall be clear of any door swings or other obstructions,
- (b) clear width at access door to ground floor gym shall be increased to at least 900 millimetres, and
- (c) the wheelchair accessible WC shall be increased in area to allow for 1800 millimetres by 1800 millimetres turning space, and shall comply with Diagram 15a of Part M of the Technical Guidance Documents – Access and Use, Building Regulations 2010.

**Reason:** To facilitate the 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.**