

Building Control Acts 1990 to 2014

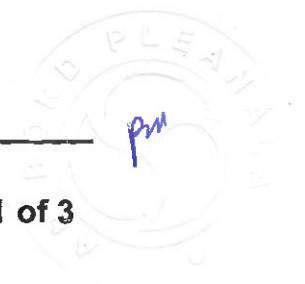
Building Control Authority: Cork County Council

Building Control Authority Register Reference Number: DAC2000091CC

Appeal by Port of Cork Company Limited care of Daire Byrne and Associates of 3 Bridgewater, North Quay, Arklow, County Wicklow in relation to the decision made on the 2nd day of October, 2020 by Cork 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 construction of a maintenance building at N28, Ringaskiddy, County Cork in accordance with plans and particulars lodged with the said Building Control Authority:

WHEREAS the said appeal relates to condition number 2 attached to the decision of the said Building Control Authority:

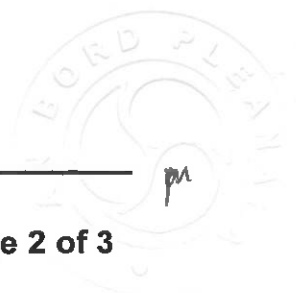
AND WHEREAS An Bord Pleanála is satisfied, having regard to the nature of the said condition, that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted:



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 condition number 2 and the reasons therefor.

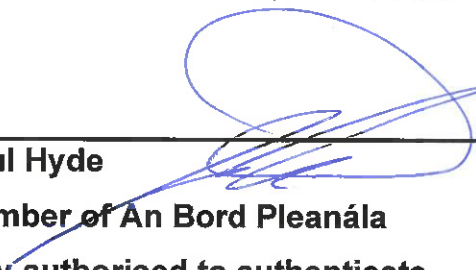
Reasons and Considerations

Having regard to the provisions of the Building Regulations 1997 to 2020, Second Schedule, Part M, to the nature and layout of the proposed works and to the submission made in connection with the application and the appeal, it is considered that the works or building to which the application relates, if constructed in accordance with the plans, calculations, specifications and particulars submitted and, notwithstanding the removal of condition number 2, the works proposed would achieve an adequate level of 'access and use' that would in turn demonstrate compliance with the requirements of Part M1 of the Second Schedule to the Building Regulations 1997 to 2020.

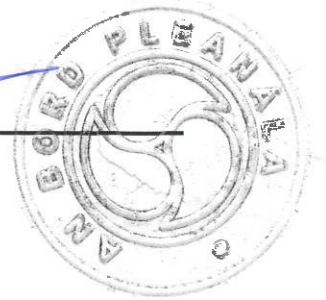


Matters Considered

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.



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



Dated this 27th day of July 2021.