



Building Control Acts 1990 to 2014

Building Control Authority: Wexford County Council.

Building Control Authority Register Reference Number: DAC2201942WX

Appeal by William Neville and Sons Construction care of Staples Owley Limited of Unit M1, Wexford Enterprise Centre, Kerlogue, Wexford in relation to the decision made on the 27th day of June, 2022 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 proposed hotel complex consisting of 52 number bedrooms, bar, restaurant and dining facilities; ancillary service areas and leisure centre, all with associated ancillary site works at Kilmacoe, Curracloe, County Wexford in accordance with plans and particulars lodged with the said Building Control Authority:

WHEREAS the said appeal relates to conditions numbers 2 and 3 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 amend the said conditions numbers 2 and 3 so that they shall be as follows for the reasons set out

2. Lifts numbers 1, 2 and 4 shall comply with Section 1.3.4.2 (Passenger lift details) of Technical Guidance Document (TGD) Part M 2010 and shall include the specific requirements:
 - (a) Lift 1 shall have minimum internal car dimensions of not less than 2000 millimetres wide by 1400 millimetres deep.
 - (b) Lifts 2 and 4 shall have minimum internal car dimensions of not less than 1100 millimetres wide by 1400 millimetres deep.
 - (c) Lift 3 (proposed to be used exclusively by staff for goods and services only) shall have minimum internal car dimensions of not less than 1100 millimetres wide by 1400 millimetres deep.

Reason: To comply with Section 1.3 (Circulation within buildings other than dwellings) of Part M1 (Access and Use) of Part M of the Building Regulations, 1997, as amended.

3. Signage shall be provided in the two car park areas to direct visitors to the main entrance at Exit/Entry 1 and to make it clear that Exit/Entry 8 is to be used for access to the Leisure Centre only. The access routes shall be clearly identifiable and well lit.

Reason: To comply with Section 1.1 (Approach to buildings other than dwellings) and Part M1 (Access and Use) of Part M of the Building Regulations 1997, as amended.

Reasons and Considerations

Having regard to the provisions of the Building Regulations 1997, as amended, Second Schedule, Part M, to the form and layout of the existing building and the nature of the proposed works and to the submissions made in connection with the DAC application and 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 subject to compliance with the conditions attached to the Disability Access Certificate, and the amended conditions 2 and 3 set out above, will comply with the requirements of Part M of the Second Schedule to the Building Regulations 1997, as amended.



Patricia Calleary

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

Dated this 20 day of December 2023.