

Building Control Acts 1990 to 2014

Building Control Authority: Dún Laoghaire-Rathdown County Council

Building Control Authority Register Reference Number: DAC2303650DR

Appeal by Eugene Kenny care of Magahy Broderick Associates of 123 Lower Baggot Street, Dublin in relation to the decision made on the 7th day of December, 2023 by Dún Laoghaire-Rathdown County 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 change of use of first floor function room to guest bedroom accommodation and associated works at the Wicked Wolf Pub, 2 Main Street, Blackrock, County 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

Having regard to the presented design of the development and the accompanying technical compliance report, to the submissions made 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 the works 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, would comply with the requirements of Part M of the Second Schedule to the Building Regulations 1997, as amended.

Conditions

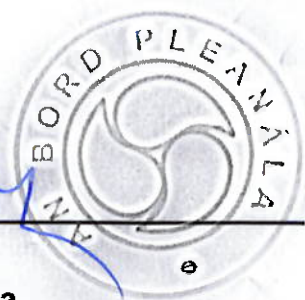
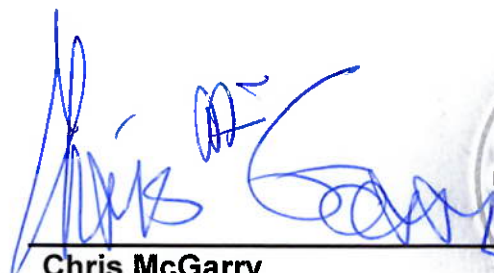
1. The change of use shall be carried out in accordance with the plans, specifications and other relevant information submitted with the application to the Building Control Authority and further information received by the Building Control Authority on the 7th day of November, 2023.

Reason: In the interest of clarity.



2. The corridor width on the first floor should be a minimum of 1,200 millimetres unobstructed. A corridor or passageway should be wide enough to allow people to pass each other, taking into account common activities and mobility aids such as people pushing buggies or walking frame, carrying luggage or using crutches. The unobstructed clear width should be at least 1,200 millimetres. Elements such as columns, radiators and fire hoses should not project into this corridor width in accordance with Section 1.3.3.3 and Diagram 12 of the Technical Guidance Document M 2022 (Access and Use).

Reason: To comply with Part M of the Second Schedule to the Building Regulations 1997, as amended.



Chris McGarry

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board**

Dated this  **day of**  **2024**