

Building Control Acts 1990 to 2014

Building Control Authority: Wexford County Council

Building Control Authority Register Reference Number: DRV2407807WX

Appeal by Pat Doyle care of Staples Owley Limited, Fire Safety and Access Consultants of Unit 1 Wexford Enterprise Centre, Kerlogue, Wexford in relation to the decision made on the 5th day of march 2025 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 for works which include a material change of use of portion of existing public house to an independent retail unit; off-licence to public house area; existing extension to public house for new covered seating area; and material alterations to existing restaurant and public house respectively, at the Porter House, Ballytramon, Castlebridge, County Wexford in accordance with plans and particulars lodged with the said Council.

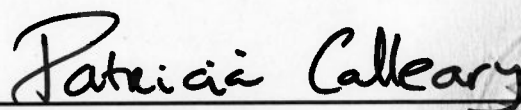
WHEREAS the said appeal relates only to condition numbers 2, 3, and 4 attached to the decision of the Building Control Authority,

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

NOW THEREFORE An Commission Pleanála, in exercise of the powers conferred on it by section 7 of the Building Control Act 1990 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 authority to delete the said conditions numbers 2, 3 and 4 and the reasons therefor, for the reason set out below.

Reasons and Considerations

Having regard to the presented design of the proposed amendments to the Existing Public House and the accompanying compliance report, to the submissions made in connection with the Revised Disability Access Certificate application and the appeal, and to the report and recommendation of the reporting inspector, it is considered that it has been demonstrated by the appellant in the Revised Disability Access Certificate application and appeal that the requirements set out in the above conditions are not required in order to meet the requirements of Part M of the Second Schedule to the Building Regulations 1997, as amended. Therefore, condition numbers 2, 3 and 4, as originally attached by the Building Control Authority to the Revised Disability Access Certificate, are not necessary to demonstrate compliance with Part M of the Second Schedule to the Building Regulations 1997, as amended. It is considered that the proposed works if constructed in accordance with the design presented with the application and the appeal, would comply with the requirements of Part M of the second schedule to the Building Regulations (as amended).



Patricia Calleary

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 21 day of August 2025