

Building Control Acts 1990 to 2014

Building Control Authority: Wexford County Council

Building Control Authority Register Reference Number: DRV2512100WX

Appeal by Circle K care of McArdle Doyle Limited of Second Floor, Exchange Building, The Long Walk, Dundalk, County Louth in relation to the decision made on the 4th day of June, 2025 by Wexford County Council to grant subject to conditions a revised 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 external site and internal building alterations at Circle K M11 Service Station, Ballyellin, Inch, Count Wexford in accordance with plans and particulars lodged with the said Building Control Authority:

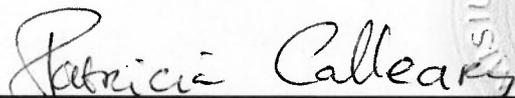
WHEREAS the said appeal relates to conditions numbers 3 and 4 attached to the decision of the said Building Control Authority:

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 Coimisiún 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 conditions numbers 3 and 4 and the reasons therefor.

Reasons and Considerations

Having regard to the presented design of the proposed amendments to the Existing Service Station and the accompanying 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 it has been demonstrated by the appellant in the Disability Access Certificate application and appeal that the requirements set out in conditions numbers 3 and 4 are not necessary in order to meet the requirements of Part M, specifically M1 (Access and Use) of the Second Schedule to the Building Regulations 1997, as amended. Therefore, conditions numbers 3 and 4 as originally attached by the Building Control Authority to the Disability Access Certificate are not necessary to demonstrate compliance with the said regulations.



Patricia Calleary

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 5th day of December 2025.