An Coimisiún Pleanála

Commission Order
ACP-324480-26

Building Control Acts 1990 to 2014

Building Control Authority: Dublin City Council

Building Control Authority Register Reference Number: DAC2619741DC

Appeal by Paul Greene in relation to the decision made on the 26th day of June 2026 by Dublin City 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 construction of Phase 1 of the residential development consisting of Blocks E, F and G up to ten storey and over a ground floor car park at Royal Liver, Naas Road, Inchicore, Dublin in accordance with plans and particulars lodged with the said Building Control Authority:

WHEREAS the said appeal relates to condition number 9 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 condition, 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 amend the said condition number 9 so it shall be as follows for the reasons set out.

9. Switches, outlets and controls located within the common areas (stairs, lobbies, corridors and landlord/tenant area) shall comply with Section 1.5.7 of Technical Guidance Document Part M 2022.

Reason: To make adequate provision for building users to access and use the building and its facilities

Reasons and Considerations

Having regard to the presented design of the proposed residential development 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 there is potential ambiguity in the wording of condition number 9 in order to meet the requirements of Part M of the Second Schedule to the Building Regulations 1997, as amended. Therefore, condition number 9 as originally attached by the Building Control Authority to the Disability Access Certificate should be amended to meet the guidance set out in Technical Guidance Document Part M 2022 or accordingly 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 (with condition number 9 amended), would comply with the requirements of Part M to the Second Schedule to the Building Regulations 1997, as amended.

Patricia Calleary

Patricia Calleary
Planning Commissioner of An Coimisiún Pleanála duly authorised to authenticate the seal of the Commission.
Dated this 04 **day of** November **2026.**