



An
Bord
Pleanála

Board Order 29D.DS.0055

Building Control Acts 1990 to 2014

Building Control Authority: Dublin City Council

Building Control Authority Register Reference Number: DAC/2016/0491

Appeal by Ron and Laura Branagan care of EDA Architecture of 5 The Mall, Leixlip, County Kildare in relation to the decision made on the 8th day of December, 2016 by Dublin City 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 for works comprising the refurbishment of existing ground floor and a two-storey extension to the rear for use of the building as a beauty salon at 9 Harty Avenue, Walkinstown, Dublin.

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 refuses the appeal based on the Reasons and Considerations set out below.

Reasons and Considerations

Having regard to the provisions of the Building Regulations 1997 to 2017, Second Schedule, Part M, to the nature and layout of the proposed works, to the submissions made in connection with the Disability Access Certificate application and appeal, and to the report and recommendation of the reporting Inspector, 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, fails to comply with the requirements of Part M of the Second Schedule to the Building Regulations 1997 to 2017 for the following reasons:

1. The applicant failed to provide adequate information showing compliance with Part M of the Second Schedule of the Building Regulations 2010.
2. Sufficient information has not been provided for the circulation through the building both horizontally and vertically.
3. Adequate sanitary facilities have not been provided within the premises.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Building Control Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

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

Dated this day of 2017