

## Board Order 06S.DS.0058

**Building Control Acts 1990 to 2014** 

**Building Control Authority: South Dublin County Council** 

**Building Control Authority Register Reference Number: 17/6040D** 

**Appeal** by Art, Daniel and Nicolas Coyne care of Delahunty and Harley of 122 Merrion Road, Ballsbridge, Dublin in relation to the decision made on the 15<sup>th</sup> day of June, 2017 by South Dublin 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 first and second floor of existing three-storey office building to be converted to two number one-bedroom apartments at rear of number 6 Main Street, Lucan, 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.

## **Reasons and Considerations**

Having regard to the nature and layout of the building and proposed works and use, to the impracticability of altering the width of the stairs to achieve compliance with the width and handrail provisions set out in TGD-M (2010), section 1.3.4.3, to the compliance otherwise of the proposed works and use with the guidance set out in TGD-M (2010), to the submissions lodged 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 proposed works and use would achieve an adequate level of access and use that would otherwise comply with the requirements of Part M of the Second Schedule of the Building Regulations 1997 to 2017.

## **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

06S.DS.0058 Board Order Page 2 of 2