

An Bord Pleanála



BUILDING CONTROL ACTS, 1990 TO 2014

Cork County

Building Control Authority Register Reference Number: 16/N/BDR13014

An Bord Pleanála Reference Number: 04RD.0025

APPEAL by ESB Networks of Leopardstown Road, Foxrock, Dublin in relation to the decision made on the 29th day of March, 2016 by Cork County Council to refuse a dispensation from the requirements of Parts M1, M2 and M3 of the Second Schedule to the Building Regulations, 1997 to 2014 under section 4 of the Building Control Act, 1990 and 2007 in respect of the extensions to the existing 110 kV control building at Charleville 110 kV Station, Rathnacally, Charleville, County Cork in accordance with plans and particulars lodged with the said Council:

DECISION: Pursuant to the powers conferred on it by section 7(2) of the Building Control Act, 1990, An Bord Pleanála hereby allows the appeal and directs the Building Control Authority to grant a dispensation from the requirements of Parts M1, M2 and M3 of the Second Schedule to the Building Regulations, 1997 to 2014, based on the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

Having regard to:

- (a) the specific nature and function of the building concerned, namely an unmanned electrical substation building, which is only accessed infrequently and by specific personnel requiring special training, in order to carry out maintenance or emergency response,

- (b) the location of the extensions to an existing control building within a secure ESB substation compound where personnel accessing the building would be familiar with the approach routes, and
- (c) the legislative context and guidance contained in Technical Guidance Document M (2010) with respect to the circumstances within which a dispensation might be appropriate,

it is considered that the granting of a dispensation from the requirements of Parts M1, M2 and M3 of the Second Schedule to the Building Regulations, 1997 to 2014 is appropriate in this case.

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 2016.