

An Bord Pleanála



BUILDING CONTROL ACTS, 1990 to 2014

Dublin City Council

Building Control Authority Register Reference Number: DR/2017/0360

An Bord Pleanála Reference Number: 29D.RD.0028

APPEAL by Ron and Laura Branagan care of EDA Architecture of 5 The Mall, Main Street, Leixlip, County Kildare in relation to the decision made on the 4th day of August, 2017 by Dublin City Council to refuse a dispensation from the requirements of Parts M1, M2 and M3 of the Second Schedule to the Building Regulations, 1997 to 2017 under section 4 of the Building Control Act, 1990 and 2007 in respect of the refurbishment of existing ground floor and a two-storey extension to the rear of the building as a beauty salon at 9 Harty Avenue, Walkinstown, Dublin 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 refuses the appeal based on the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

Having regard to the layout and function of the building in question, it is considered that a dispensation from the requirements of Part M (Access and Use) of the Second Schedule to the Building Regulations, 1997 to 2017 has not been justified by reason of impracticality or of being unduly onerous or unreasonable. Furthermore, it is considered that the requirement to comply with Part B (Fire) of the Regulations does not prevent compliance with the provisions of Part M in the context of this building.

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