



An  
Coimisiún  
Pleanála

# DAC Inspector's Report

**ACP-323795-25**

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**Appeal v Conditions**

Appeal v Condition attached to a  
Disability Access Certificate

**Development Description**

The Frame Fitout at 74-75 Lower  
Baggot Street, Dublin 2.

**Building Control Authority Disability  
Access Certificate application  
number:**

DAC2514112DC

**Appellant**

Irish Life Assurance PLC

**Agent**

O'Herlihy Access Consultancy  
(OHAC)

**Building Control Authority:**

Dublin City Council

**Inspector**

David Whelan

**Contents**

1.0 Introduction ..... 3

2.0 Information Considered ..... 3

3.0 Relevant History/Cases ..... 4

4.0 Building Control Authority Case ..... 4

5.0 Appellant’s Case ..... 5

6.0 Assessment ..... 6

7.0 Reasons and Considerations ..... 8

8.0 Sign off ..... 8

## 1.0 Introduction

- 1.1. The subject building is an office building located at 74-75 Lower Baggot Street, Dublin  
2. The Disability Access Certificate (DAC) relates to an office fitout at lower ground floor to fourth floor level of the subject building.
- 1.2. The Building Control Authority (BCA) granted a DAC, dated 09/09/2025, with 6 No. attached Conditions. The case relates to the appeal of 1 No. Condition (Condition 2), which stated; One of the turnstiles shall have a width of no less than 1200mm and shall be designed to be accessible to wheelchair users.

## 2.0 Information Considered

- 2.1. The information considered in this appeal comprised the following:
  - DAC Application, DAC2514112DC, submitted on 15/07/2025 with the following documents and drawings:
    - Form of Application
    - Remittance Letter
    - DAC Compliance Report
    - DAC Application Maps/Drawings
  - BCA decision to grant DAC with conditions dated 09/09/2025
  - Appeal and all associated documents received by the An Coimisiún Pleanála (ACP) on behalf of the appellant dated 07/10/2025
  - Correspondence from ACP to the appellant dated 09/10/2025
  - ACP request for information and all associated documents to the BCA dated 09/10/2025 & 19/11/2025
  - Copy of BCA decision and supporting internal report received by ACP on 11/11/2025 & 24/11/2025
  - Correspondence from ACP to appellant dated 03/12/2025
  - Correspondence from appellant to ACP received on 18/12/2025

### 3.0 Relevant History/Cases

3.1. There are no previous ACP DAC cases related to this building.

### 4.0 Building Control Authority Case

#### 4.1. Condition 2

One of the turnstiles shall have a width of no less than 1200mm and shall be designed to be accessible to wheelchair users.

#### Reason

To provide for people to travel horizontally within in a building conveniently and without discomfort to make us of all relevant facilities.

4.2. The BCA notes that the appellant claims the fitout out do not include the turnstiles however the BCA state that the turnstiles are within the 'blue line' boundary indicated on the drawings submitted. Therefore, it is necessary to consider the impact of all works on the overall accessibility of the building.

The BCA note that the appellant argues that the turnstile arrangement complies with BS8300-2:2018, which specifies a 1000mm minimum width for turnstiles. This guidance does not account for the extended length of the proposed turnstile in that the BCA state *"The proposed turnstile that is subject of this appeal appears to be more than 1500mm or up to 2000mm long. Over such a distance, a 1000mm width creates cumulative restrictions for wheelchair users, guide dog users, and people accompanied by assistants. The arrangement is akin to a corridor or passageway due to the prolonged length restriction, and 1200mm width is necessary to maintain ease, safety, and dignity of movement."*

The BCA further highlights that TGD Part M 2022 focuses on ensuring safe, convenient, and comfortable circulation rather than prescribing fixed dimensions. Where standards are silent, conditions may be applied to achieve accessibility, in line with Requirement M1 of the Building Regulations. A wider turnstile benefits a broad range of users, improves emergency evacuation safety, and aligns with Universal Design principles that support independent, dignified access for all. For these reasons, the Authority concludes that Condition No. 2 is reasonable, proportionate, and

essential to ensure equal access for people with disabilities and other users of the building.

## 5.0 Appellant's Case

5.1. O'Herlihy Access Consultancy lodged an appeal on behalf of the appellant, dated 07/10/2025. The appellant is appealing Condition No. 2 of the granted DAC. The following is a brief outline of the Appellants case.

### 5.2. Scope of Works

- Turnstiles shown within the blue line boundary were existing elements from the base build works and are not new proposed fit-out works. Such works have a granted DAC.
- Existing drawings (DAC-E-100 & DAC-P-100) indicate the turnstiles, and no alterations were referenced in the DAC Compliance Report.
- Under TGD M 2022 Section 0.6, material alteration requirements apply only to areas being altered; existing access elements do not need upgrading unless directly modified.

### 5.3. Existing Compliance

- Turnstiles comply with Section 8.5.3 of BS8300-2:2018.
- The accessible turnstile provides a general clear width of 1120mm, a pinch point clear width at gate mechanism of 1000mm and are no more than 1500mm in length.
- BS8300-2:2018 specifies a recommended clear opening width of 1000mm and does not define a maximum turnstile length or classify turnstiles as corridors.

### 5.4. Consistency with Guidance

- Where TGD M 2022 is silent, best practice guidance was reviewed in accordance with Section 0.1 of TGD M 2022.
- BS8300-2:2018 was used as the applicable reference standard for turnstiles, particularly Section 8.5.3 covering their accessibility requirements.

## 5.5. Technical Justification

- Proposed works meet M1 requirements as outlined in the Appeal Report and DAC Application.
- BS8300-2:2018 supports 1000mm clear width as sufficient for mobility scooters, powered wheelchairs, assistance dogs, and high-traffic areas.
- Evacuation provisions from the base build Fire Safety Certificate include; Fail safe turnstiles and automatic doors per BS EN 16005 and BS 7036-0 and the turnstile release are activated by heat detection, air sampling systems, fire alarm activations, manual call points, or unaddressed alarms.

## 6.0 **Assessment**

### 6.1. **De Novo Appeal**

Having considered the drawings, DAC Application Report, details and submissions on file it is considered that a de novo approach is not warranted.

### 6.2. **Content of Assessment**

This appeal is against a condition attached to a granted DAC. I have reviewed the reasons for the condition and the grounds of the appeal, and I have considered the drawings, details and submissions on the file. I am of the opinion that there is sufficient information provided to assess whether or not the said works comply with the requirements of Part M of the Second Schedule to the Building Regulations 1997 as amended.

The BCA assessed whether adequate provision has been made for people to access and use the building, its facilities and environs and they concluded that the proposals would comply with the requirements of Part M of the Second Schedule to the Building Regulations 1997 with conditions attached.

#### 6.2.1. **Condition 2 – Turnstile width**

Firstly, the appellant concerns whether Condition No. 2 can reasonably be imposed when the turnstiles form part of the existing base-build works and are not being altered as part of the current fit-out, which is the subject of the DAC. The appellant provides evidence that the turnstiles were included within the original DAC for the base-build and remain unchanged. Under Section 0.6 of TGD M 2022, obligations relating to material alterations apply only to those elements being modified. However, the BCA

state it is necessary to consider the impact of all works on the overall accessibility of the building.

Notwithstanding this the appellant has provided justification as to how the turnstiles comply with TGD M. The appellant demonstrates that the turnstile system fully complies with Section 8.5.3 of BS 8300-2:2018, which is a recognised standard for accessible turnstile design. The gate provides a general clear width of 1120mm and a pinch point width of 1000mm, which meets the recommended clear opening of 1000mm for wheelchair and mobility device users. The standard does not specify a maximum turnstile length and does not define longer turnstile housings as a corridor requiring 1200mm clear width. As such, the BCA's interpretation that the physical length effectively converts the turnstile into a "corridor" is unsupported by any formal standard or guidance. In contrast, the appellant's reliance on BS 8300-2:2018 aligns directly with Section 0.1 of TGD M 2022, which allows reference to best practice documents when the Technical Guidance Documents are silent on a specific design element.

The existing accessible turnstile not only complies with BS 8300, but its clear width also falls comfortably within the general TGD M 2022 circulation parameters, which typically range from 800mm to 1000mm for accessible passage routes. The appellant has therefore demonstrated that the existing arrangements are compatible with the broader principles of safe, convenient, and dignified circulation set out under Requirement M1. There is no evidence of user impediment or any arising access deficiency that would necessitate widening the turnstile beyond the already compliant dimensions.

In summary, the turnstiles were granted permission as part of the original DAC, they comply with the relevant international standard, TGD M does not specify a 1200mm requirement and the works under the appeal do not constitute a material alteration however the appellant has demonstrated compliance as part of their case.

### 6.3. **Recommendation**

I recommend that An Coimisiún Pleanála directs the BCA to grant a Disability Access Certificate with the omission of Condition No. 2.

## 7.0 **Reasons and Considerations**

7.1. Having regard to the provisions of Part M of the Second Schedule to the Building Regulations 1997, as amended, Second Schedule, Part M, to the nature and layout of the proposed works and to the submission made in connection with the application and appeal, 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, complies with the requirements of Part M of the Second Schedule to the Building Regulations 1997, as amended.

## 8.0 **Sign off**

I confirm that this report represents my professional assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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David Whelan

9<sup>th</sup> February 2026