



An  
Bord  
Pleanála

**Board Direction**  
**BD-019040-25**  
**ABP-321219-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/02/2025.

The Board decided to treat this case by applying the provisions of Article 40(2) of the Building Control Regulations 1997, as amended.

The Board also decided, based on the Reasons and Considerations set out, that the Building Control Authority be directed, as follows:

Remove condition number 4

### **Reasons and Considerations**

Having regard to the presented design of the proposed residential development and the accompanying compliance report, to the submissions made 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 it has been demonstrated by the appellant in the Disability Access Certificate application and appeal that the provision of a 1200mm x 1200mm clear level area in front of each dwelling entrance door, is not required to be outside of the clear level landing area provided to the stairs at second floor level in order to meet the requirements of Part M of the Second Schedule to the Building Regulations 1997, as amended. Therefore condition No.4 as originally attached by the Building Control Authority to the Disability Access Certificate is not necessary to meet the guidance set out in TGD Part M 2010 or accordingly to demonstrate compliance with Part M of the Second

Schedule to the 1997 Building Regulations, as amended. It is considered that the proposed works if constructed in accordance with the design presented with the application and the appeal and subject to the remaining conditions attached to the Disability Access Certificate, would comply with the requirements of Part M of the Second Schedule to the 1997 Building Regulations, as amended.

**Board Member:** Patricia Calleary **Date:** 26/02/2025  
Patricia Calleary