



An  
Bord  
Pleanála

**Board Order**  
**PL 11.248589**

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## **Planning and Development Acts 2000 to 2017**

**Planning Authority: Laois County Council**

**Planning Register Reference Number: 16/621**

**Appeal** by Elizabeth McNamara and Terence Higgins Junior care of Axis Architecture of 19 High Street, Tullamore, County Offaly against the decision made on the 2<sup>nd</sup> day of May, 2017 by Laois County Council to grant subject to conditions a permission to Sean Reid care of Patrick Joyce Associates of 2 Prospect Grove, Stocking Lane, Rathfarnham, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** (a) Retention of: (1) an external concrete pad, (2) internal timber studwork on ground and first floors, (3) internal dry lining and (4) demolition of dry stone rubble wall and the removal of storage areas to the rear of the building and (b) permission for: (1) construction of a two-storey extension to the rear of the structure, 22.5 square metres including a glazed link to the existing protected structure, (2) construction of an external emergency stairway and emergency escape doorway to the rear of the property, (3) construction of a replacement wall and the widening of an original gateway providing access to the rear of the property and (4) repair and replacement of internal and external features, fixtures and fittings of RPS 677 as specified in the conservation report included with this application and all associated site works including landscaping to the rear of the structure. All works to

Protected Structure RPS 677, formerly Cooltederry School at Main Street, Portarlinton, County Laois.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development 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.

## **Reasons and Considerations**

Having regard to the zoning objective for the site and its central location, and to the pattern of development in the vicinity, and having regard to the design and form of the development for which retention is sought and of the proposed development, it is considered that, subject to compliance with the conditions set out below, the subject development would be in accordance with the provisions and policies of the Laois County Development Plan 2017-2023, the Portarlinton Local Area Plan 2012-2018, and the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in 2011, would not seriously injure the amenities of adjacent residential property, would not be prejudicial to public and environmental health, would be acceptable in terms of pedestrian and traffic safety and would not have a significant adverse effect on the character of the protected structure or adjacent protected structures. The development for which

retention is sought and the proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Conditions**

1. The development shall be retained, and carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 6<sup>th</sup> day of April, 2017, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The subject development shall be used solely for community uses, as indicated in submitted documentation, and shall not be used for any commercial purpose (that is, for profit or gain), without a separate planning permission for change of use.

**Reason:** In order to delimit the use of the subject development to that applied for, and to allow the planning authority to consider the implications of any commercial use of the subject building through the statutory planning process.

3. (a) The internal repair recommendations as set out in the conservation and restoration plan by MCOH Architects shall be expanded into a specification of conservation works with cross reference to detailed drawings. Details shall be submitted to, and agreed in writing with, the planning authority prior to the re-commencement of development.
- (b) Repair recommendations to the existing building as required in condition number 3(a) above shall be carried out prior to the commencement of construction of the rear extension.

**Reason:** To ensure that the integrity of the retained protected structure is maintained in a timely fashion, and that the structure is protected from unnecessary damage or loss of fabric.

4. (a) An accredited conservation architect or similar conservation expert (with professional indemnity insurance) shall be employed to manage, supervise monitor and implement the works on the site and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained buildings and facades and fabric.
- (b) All repair works to the protected structure shall be carried out in accordance with best conservation practice as set out in the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in 2011. The repair works shall retain the maximum amount of surviving historic fabric in situ, including structural elements, plasterwork (plain and decorative) and joinery. Items that have to be removed for repair shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.

(c) All existing original features, including interior and exterior fittings/features, joinery plasterwork features (including cornices and ceiling mouldings) staircases including balusters, handrail and skirting boards, shall be protected during the course of refurbishment. The existing walls along the north-eastern and north-western perimeters of the rear courtyard shall be retained, and shall be repaired in accordance with best conservation practice.

**Reason:** To ensure that the integrity of the retained structures is maintained and that the structures are protected from unnecessary damage or loss of fabric.

5. Prior to commencement of development, details of the materials, colours and textures including sample panels of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority.

**Reason:** In the interest of orderly development and the visual amenities of the area.

6. Water supply and drainage arrangements shall comply with the requirements of the planning authority for such works and services, and shall be agreed in writing with the planning authority prior to commencement of development.

**Reason:** In the interests of public health.

