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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Dún Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D17A/0319**

**Appeal** by the Galloping Green Management Company care of BMA Planning of 128 Lower Baggot Street, Dublin against the decision made on the 6<sup>th</sup> day of November, 2017 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Albert and Mary Connaughton care of O'Briain Beary Architects of Unit C1, The Steelworks, Foley Street, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Enlargement of the existing choir/mezzanine in Belmont Chapel, a protected structure, to form a full first floor, creating a new internal enclosed fire escape stairs and protected lobby following removal of existing spiral stairs, forming a new fire escape door opening in the external stone wall of the nave area of the Chapel, insulation and re-slating of the main Chapel roof using salvaged blue bangor slates, installation of 12 number new rooflights in the main Chapel roof, re-planning the modern partitioning in the ancillary area of the Chapel, removing one number lead stained glass windows from the nave area and reinstalling it intact in an opening timber frame in the same structural opening, renewal of electrical and heating services in the Chapel and ancillary areas, removal of the modern porch to the side of the

chapel and construction of a new frameless glass link with ramp connecting the Chapel to the existing Nursing Home stair and lift core, fitting of internal fire rated glazed screens to two number window sets adjoining the ramp, changing the use of the Chapel from office use to ancillary nursing home use to permit its use for therapy and administrative areas of the nursing home, demolition of the existing modern storage building located west of the Chapel and construction of a new structure with one storey at ground level and one storey at lower ground level, housing a physiotherapy suite at ground floor level and a laundry room at lower ground floor level, both linked to the existing nursing home stair and lift core, extension of a day room at first floor level, conversion of the existing laundry at lower ground floor level to provide two number double bedrooms and one number bathroom in the high dependency unit, thus increasing total number of beds in the nursing home to 165, and all site works related to the above works at Belmont House Nursing Home and Belmont Chapel, all in the curtilage of Belmont Chapel, a protected structure, Galloping Green, Stillorgan, County Dublin.

## **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 established use on the appeal site and to the land use zoning pertaining to the site, to the pattern of development in the area and to the nature and scale of the proposed development, which includes the reuse of a protected structure, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the drawings received by the planning authority on the 11<sup>th</sup> day of October, 2018, 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 the 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 proposed development shall be modified as follows:

All proposed roof windows to the main Chapel roof shall be omitted from the development.

Revised drawings showing compliance with the above requirement shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

**Reason:** In the interest of protecting architectural heritage.

3. Prior to commencement of development, details of the materials, colours and textures of all the external finishes to the proposed nursing home extension 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.

4. (a) A conservation expert shall be employed to manage, 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 building and facades structure and/or fabric.
- (b) All repair works to the protected structure shall be carried out in accordance with best conservation practice as detailed in the application and the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Environment, Heritage and Local Government 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 and shall be designed to cause minimum interference to the building structure and/or fabric. 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.

**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. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health and to ensure a proper standard of development.

6. Prior to commencement of development, a Construction Management Plan shall be submitted to the planning authority for written agreement. This plan shall provide details of intended construction practice for the development, including hours of working and noise management measures.

**Reason:** In the interest of amenities and public safety.

7. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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**Michelle Fagan**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2018.**