



---

**Planning and Development Acts 2000 to 2018**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 18/979**

**Appeal** by The Alfred Beit Foundation care of Marston Planning Consultancy of 23 Grange Park, Foxrock, Dublin against the decision made on the 24<sup>th</sup> day of October, 2018 by Wicklow County Council to refuse permission for the proposed development.

**Proposed Development:** Conversion, repair and extension of the former shed and workman's cottage to create two number long term rental single-storey dwelling units (two number two-bedroom units) within the existing outer western courtyard (to the immediate west of the aviary) that will include some minor modifications to the courtyard walls to facilitate a single car parking space for each unit with vehicular access off the N81 to the south. The development will also include landscaping and other ancillary works within the courtyard to facilitate development, at Russborough House (a Protected Structure), Russborough, Blessington, County Wicklow.

## **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 proposed development and the policy objectives of the Wicklow County Development Plan, 2016-2022, and the extent of the development, it is considered that, subject to compliance with conditions set out below, the proposed development would not seriously injure the amenities of the area and would 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, and as amended by the further plans and particulars received by An Bord Pleanála on the 20<sup>th</sup> day of November, 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 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 houses, hereby permitted, shall not be separately sold off from the main estate nor shall the houses be owner occupied. The permitted houses shall be used for the purpose of long-term letting which shall be ancillary to the primary tourism use within Russborough House.

**Reason;** In the interest of clarity and the proposed site is located in a rural area where it is considered necessary to restrict the number of new houses in the area.

3. (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 Arts, Heritage and the Gaeltacht in October, 2011. The repair works shall retain the maximum amount of surviving historic fabric in situ, including structural elements, 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, shall be protected during the course of works.

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

- 4. An architectural impact statement and conservation plan for the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The development shall be carried out in accordance with this plan, and the relevant works shall be restricted to conservation, consolidation and presentation works.

**Reason:** To ensure that these elements of the historic structure are maintained and protected from unnecessary damage or loss of fabric.

- 5. The entire premise for each house shall be used as a single dwelling unit only.

**Reason:** To prevent unauthorised development.

6. Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

7. 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.

8. Prior to commencement of development the developer shall submit a full and detailed construction management plan which shall include a construction programme for the works, hours of operation, a traffic management plan, noise and dust mitigation measures (including details of truck wheel wash at the site entrances) and details of construction lighting. A Construction Manager shall be appointed to liaise directly with the council, details of which shall be agreed in writing with the planning authority.

**Reason:** In the interest of the proper planning and sustainable development of the area.

9. Measures shall be taken by the developer to prevent spillage or deposit of clay, rubble or other debris on adjoining roads during the course of site development works.

**Reason:** To protect the amenities of the area.

10. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials, and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

**Reason:** To provide for appropriate management of waste and in particular, recyclable materials, in the interest of protecting the environment.

11. 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.

---

**Maria FitzGerald**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2019.**