



Planning and Development Acts 2000 to 2019

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: Ref4019

WHEREAS a question has arisen as to whether decorative works to the front elevation, specifically the painting of all walls within the entrance portico a blue-grey colour, (Dulux reference 90BG-27-079), at the Royal Irish Yacht Club, Harbour Road, Dún Laoghaire, County Dublin (a Protected Structure) is or is not development or is or is not exempted development:

AND WHEREAS Royal Irish Yacht Club Board of Trustees care of Kane Architecture of 6 Clarinda Park North, Dún Laoghaire, County Dublin requested a declaration on this question from Dún Laoghaire-Rathdown County Council and the Council issued a declaration on the 4th day of June, 2019 stating that the matter is development and is not exempted development:

AND WHEREAS Royal Irish Yacht Club Board of Trustees referred the declaration for review to An Bord Pleanála on the 26th day of June, 2019:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) sections 2, 3, 4 and 57 of the Planning and Development Act, 2000, as amended, and
- (b) the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in 2011:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the works of painting of all walls within the entrance portico of the building a blue-grey colour constitute development which comes within the meaning of section 2(1) and section 3(1) of the Planning and Development Act, 2000, as amended,
- (b) these works might have come within the scope of Section 4(1)(h) of the Planning and Development Act, 2000, as amended, however these works cannot avail of the exemption having regard to Section 57 of the Planning and Development Act, 2000, as amended:

- (c) such works would materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure, and would materially affect the character of the Royal Irish Yacht Club Protected Structure, the uniform off-white paint finish to the exterior is an element of the structure which contributes to its special architectural interest,
- (d) works have, therefore, been undertaken to a Protected Structure that materially affect the character of an element of the structure which contributes to its special architectural interest, and the subject works cannot, therefore, avail of any exemption provided for under the relevant legislation, and
- (e) the works do not, accordingly, come within the scope of section 4(1)(h) or section 57(1) of the Planning and Development Act, 2000, as amended:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the decorative works to the front elevation, specifically the painting of all walls within the entrance portico a blue-grey colour, (Dulux reference 90BG-27-079), at the Royal Irish Yacht Club, Harbour Road, Dún Laoghaire, County Dublin (a Protected Structure) is development and is not exempted development.

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.

Terry Prendergast
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2019.