



An  
Bord  
Pleanála

Board Order  
ABP-308948-20

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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: FW20A/0159**

**Appeal** by Ethna Dorman care of Gravis Planning of 121 Baggot Street Lower, Dublin against the decision made on the 24<sup>th</sup> day of November, 2020 by Fingal County Council to refuse permission for the proposed development.

**Proposed Development:** Conversion of former stable block to residential use as ancillary accommodation to the existing. The conversion includes the re-opening of one number, the making-good of one number existing, and the forming of three number new internal door openings, the insertion of four number rooflights, the widening of a window on the south façade to comply with TGD Part B, the installation of internal stud partitions, kitchen, bathroom and utility facilities, the refurbishment of the roof and floors; including the installation of breathable insulation, the refurbishment of existing sash and louvered windows and external doors and the installation of three number secondary doors and a secondary glazed panel below the copula and two number louvered panels on north façade. The development includes the repair of the roughcast render to the north, east and south façades, the repair of cast iron rainwater goods, the installation of mechanical and electrical services throughout; new connections to the existing drainage system within

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the property, general conservation and associated repairs including sundry repairs and renewals not impacting on the special interest of the protected structure. The proposed development also includes the repair of the roughcast render to the façades of The Cottage and the demolition of a non-original wall boundary wall and its replacement with a fence and hedge to the north boundary at The Courtyard, Beech Park, Clonsilla, Dublin (a Protected Structure).

## **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**

The proposed development would provide residential accommodation ancillary to the existing two-storey house in the courtyard and notwithstanding the shortfall in private amenity space would accord with the Architectural Heritage Protection Guidelines for Planning Authorities which advocates the need for flexibility within development plan policies to be responsive to appropriate, alternative uses for a Protected Structure; and accordingly would, subject to compliance with the conditions set out below, 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 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 proposed residential unit, together with the existing two-storey house in the courtyard shall be occupied as a single dwelling unit and shall not be sold, let or otherwise transferred or conveyed, save as part of one single dwelling unit.

**Reason:** To meet the stated housing need of the applicants' family in the interest of orderly development and public health.

3. Prior to commencement of development details of the treatment/finish to the internal doors in the former Tack Room linking into the central space shall be submitted for the written agreement of the planning authority.

**Reason:** In the interest of building conservation.

4. A suitably qualified professional with specialised conservation expertise shall be engaged for the specification and supervision of the conservation element of the proposed development. The detail of the methodology/specification of the repairs and conservation works to the original historic fabric shall be submitted to the planning authority for written agreement prior to works commencing on site.

**Reason:** In the interest of building conservation.

5. 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, the developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

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

7. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.

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

8. 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.

*DR. Maria FitzGerald*

**Maria FitzGerald**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board**

**Dated this** *28<sup>th</sup>* **day of** *April* **2021**