



An  
Bord  
Pleanála

Board Order  
ABP-309500-21

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**Planning and Development Acts 2000 to 2021**

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

**Planning Register Reference Number: 125/20**

**WHEREAS** a question has arisen as to whether the roof repair works comprising re-slating the side (east) aisle of the Church of the Assumption (a protected structure), Booterstown Avenue, Blackrock, County Dublin is or is not development or is or is not exempted development:

**AND WHEREAS** Gerry Kane care of Kiaran O'Malley and Company Limited of Saint Heliers, Saint Heliers Copse, Stillorgan Park, Blackrock, County Dublin requested a declaration on this question from Dún Laoghaire-Rathdown County Council and the Council issued a declaration on the 27<sup>th</sup> day of January 2021 stating that the matter was development and was not exempted development:

**AND WHEREAS** Gerry Kane referred the declaration for review to An Bord Pleanála on the 22<sup>nd</sup> day of February, 2021:

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

- (a) sections 2(1), 3(1), 4(1)(h), and 57(1) of the Planning and Development Act, 2000, as amended,
- (b) the status of the Church of the Assumption as a protected structure in the Record of Protected Structures in the Dún Laoghaire-Rathdown County Development Plan 2016–2022,
- (c) the planning history of the site, and
- (d) the pattern of development in the area:

**AND WHEREAS** An Bord Pleanála has concluded that the roof repair works comprising the re-slating of the side (east) aisle of the Church of the Assumption is development and is exempted development as the works undertaken would not materially affect the external appearance of the Church so as to render its appearance inconsistent with the character of the structure or of neighbouring structures, and would not materially affect the character of the Church, a protected structure, or any element of the protected structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest:

**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 roof repair works comprising re-slating the side (east) aisle of the Church of the Assumption (a protected structure), Booterstown Avenue, Blackrock, County Dublin is development and is 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.

*DR. Maria FitzGerald*

**Maria FitzGerald**

**Member of An Bord Pleanála**

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



Dated this *2<sup>nd</sup>* day of *Feb.* 2022.