



Planning and Development Acts 2000 to 2021

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: Ref11021

WHEREAS a question has arisen as to whether the following works at Apartment Q, Coliemore Apartments, Dalkey, County Dublin, constitutes development and if so whether that development can be considered exempt development:

1. Infill of Floor Void - Internal alterations to consist of infill of the circular floor void at upper (third floor level) and removal of internal staircase to provide an additional 16 square metres of internal floor area.
2. Internal Layout Alterations -Internal layout alterations to consist of removal/addition of walls/partitions and doors (on second and third floor level); relocating of bedroom number 3 from second to third floor to create open plan living/dining/kitchen area at second floor.
3. Lowering of Rotunda Sill -Alterations to the external elevation of the rotunda at third floor to consist of lowering of the curved window sill by 0.5 metres. This faces north to south-west on the rear (seaward) and side elevations.

4. Fenestration Changes- Alterations to the external elevation of the rotunda at third floor to consist of changing of seven number groups of three number windows to seven number curved fixed windows and replacement of third floor aluclad windows to rotunda/north-east (rear) elevation to aluminium windows with a dark grey powder coated finish (RAL 7043/Traffic Grey). This faces north to south-west on the rear (seaward) and side elevations.
5. Rotunda fenestration changes and lowering of sill - A combination of item numbers 3 and 4 above to consist of lowering of rotunda sill and changing seven number groups of three number windows to seven number curved fixed windows.
6. Lowering of sill with fenestration colour change -Lowering of rotunda sill as per item number 3 but retaining the same fenestration division with replacement of third floor aluclad windows to rotunda/north-east (rear) elevation to aluminium windows with a dark grey powder coated finish (RAL 7043/Traffic Grey).
7. Changing of window on north-east elevation at second floor to double doors to access existing rear facing roof terrace.
8. Changing of fenestration division of four number windows on north-east elevation at second floor:

AND WHEREAS Bridget Regina Walsh care of Bright Design Architects of 4 Seafield Park, Booterstown, County Dublin requested a declaration on this question from Dún Laoghaire-Rathdown County Council and the Council issued a declaration on the 10th day of September, 2021 stating that item numbers 1 and 2 are development and are exempted development, and that item numbers 3 to 8 are development and are not exempted development:

AND WHEREAS Bridget Regina Walsh referred the declaration for review to An Bord Pleanála on the 22nd day of September, 2021:

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

- (a) Sections 2(1), 3(1), and 4(1)(h) of the Planning and Development Act, 2000, as amended,
- (b) Articles 5, 6, and 9 of the Planning and Development Regulations 2001, as amended,
- (c) the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028,
- (d) the planning history of the site and the pattern of development in the area, and
- (e) the report of the Planning Inspector:

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AND WHEREAS An Bord Pleanála has concluded that Works Items numbers 1 to 8 are works involving the improvement or alteration of the structure which would affect only the interior of the structure, or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures:

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 at Apartment Q, Coliemore Apartments, Dalkey, County Dublin, the works outlined above in item numbers 1 to 8 are development and are exempted development.

Una Crosse

Una Crosse

Member of An Bord Pleanála

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

Dated this

17th day of *April*

2023.

