

The Secretary

An Coimisiún Pleanála
 64 Marlborough Street
 Dublin 1, D01 V902
 3 September 2026

SECTION 5 REFERRAL — GROUNDS OF SUBMISSION

Planning Authority	Dún Laoghaire-Rathdown County Council
PA Reference	REF10426 (Order No. P/1583/26)
Property	Eaglewood House, Rochestown Avenue, Dún Laoghaire, Co. Dublin, A96 VW30 — a Protected Structure, RPS Ref. 1615
Applicant	Eaglewood Management Company (1) CLG, c/o Wyse Property Management
Agent	RH Building Consultants (on behalf of the Applicant)
Referral made under	Section 5(3)(a) of the Planning and Development Act 2000 (as amended)
Date of issue of declaration	6 August 2026

1. Introduction

This submission is made on behalf of Eaglewood Management Company (1) CLG (“the Applicant”), pursuant to Section 5(3)(a) of the Planning and Development Act 2000 (as amended), referring for review the declaration issued by Dún Laoghaire-Rathdown County Council (“the Council”) under Order No. P/1583/26, dated 4 August 2026 and issued 6 August 2026, in respect of the proposed installation of a stairlift to the existing timber staircase at Eaglewood House, Rochestown Avenue, Dún Laoghaire (“the Property”).

The Council determined that the proposed works constitute development and do not constitute exempted development. The Applicant respectfully submits that this determination should not be upheld, for the reasons set out below, and requests that An Coimisiún Pleanála determine that the proposed works constitute exempted development within the meaning of Section 4(1)(h) of the Act.

2. Background

The Property is a Protected Structure (RPS Ref. 1615), converted to residential apartments under Reg. Ref. D99A/0428. It comprises five apartments — two at ground floor, two at first floor and one at second floor level — served by a single timber cut-string staircase rising via half-landings. The proposal, the subject of the Section 5 application lodged on 8 July 2026, is confined to the installation of a stairlift to the single flight between ground and first floor level only, to facilitate continued independent access for a resident of reduced mobility at first floor level. No works are proposed above first floor level.

The stairlift proposed (an Otolith AIR curved single-rail system) is fixed by way of supporting legs to the existing treads and/or strings, without cutting, removal or structural alteration of the staircase. The installation is fully reversible: the rail, carriage and associated fittings can be removed in full at a future date

and any fixing points made good, without permanent loss of, or damage to, the historic fabric of the staircase.

The Council's Conservation Division and Executive Planner's report (dated 22 July and 4 August 2026 respectively) concluded that the works materially affect the character of the staircase — described as “an original feature of the building” — and would visually detract from its character and appearance, citing “Improving the Accessibility of Historic Buildings and Places” (Department of Arts, Heritage and the Gaeltacht) at pages 106 and 108.

3. Grounds of Referral

The Applicant respectfully submits that the Council's determination did not adequately weigh the following matters, each of which is material to the question of whether the works materially affect the character of the Protected Structure for the purposes of Section 57(1) of the Act:

(a) The Council's own cited guidance supports the proposal as an acceptable interim solution

The Council's report expressly quotes the DAHG guidance “Improving the Accessibility of Historic Buildings and Places” as stating that a stairlift “is often relatively easily reversed and may be an acceptable interim solution” where a permanent solution is not feasible. That characterisation applies directly to the facts of this case: the installation is fully reversible, involves no cutting or removal of original fabric, and responds to a genuine, immediate accessibility need for which no permanent alternative currently exists at the Property. The Council's report does not explain why this guidance, having been identified as relevant, was not applied to reach that conclusion.

(b) No alternative accessibility solution was assessed

The report does not record that any alternative means of providing safe, independent access for the resident concerned — for example a through-floor or platform lift, or any other adaptation — was considered or assessed as more or less feasible than the proposed stairlift. The works were, in effect, assessed against a baseline of no intervention at all, rather than against the realistic alternatives (or absence of alternatives) available at this Property.

(c) The scale and reversibility of the works were not given determinative weight

The proposed works are confined to a single flight of the staircase (ground to first floor only), require no cutting, removal or structural alteration, and do not affect any element identified as being of special interest in its own right — such as the balustrading, newel posts, joinery or plasterwork — each of which remains wholly intact and unaltered. The installation can be removed in full at a future date, with the staircase reinstated to its current form. Works of this reversible, non-destructive character are generally recognised as being more readily compatible with the retention of a structure's special interest than permanent or irreversible interventions.

(d) No Section 57 declaration or schedule of special interest exists for the Property

There is no existing declaration under Section 57 of the Act, nor any agreed schedule of the elements of Eaglewood House considered to contribute to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest. In the absence of any such benchmark, the Council's finding that the staircase as a whole is “an original feature” whose appearance cannot be altered in any visible way is not anchored to a specific, agreed identification of what about the staircase is of special interest, as distinct from the fact of its age or origin.

(e) The accessibility need underlying the proposal is a material consideration

The proposal responds to a specific and pressing accessibility need of an elderly resident with reduced mobility residing at first floor level, for whom the staircase is otherwise the sole means of independent access to and from his home. The Applicant submits that this is a material consideration properly weighed

alongside conservation policy, and is consistent with the guidance relied upon by the Council, which itself recognises a role for reversible interim solutions of this kind in historic buildings pending any permanent resolution.

4. Conclusion

For the reasons set out above, the Applicant respectfully requests that An Coimisiún Pleanála review the declaration issued by Dún Laoghaire-Rathdown County Council under Order No. P/1583/26 and determine that the proposed installation of a stairlift to the existing timber staircase at Eaglewood House, from ground to first floor level only, constitutes exempted development within the meaning of Section 4(1)(h) of the Planning and Development Act 2000 (as amended).

Should the Commission require any further information, clarification, or access to the Property to inform its determination, the Applicant's agent would be pleased to assist.

Yours faithfully,



Robert Hoban MSCSI MRICS
Chartered Building Surveyor

C.C. Ms Zoe Downes, for and on behalf of Eaglewood Management Company (1) CLG

Enclosures

- Copy of DL RCC decision letter (REF10426 / Order P/1583/26), dated 6 August 2026
- Section 5 application form and supporting report, RH Building Consultants, 8 July 2026 (with photographic schedule and BM Stairlifts quotation/datasheet)
- Site location map
- Dún Laoghaire-Rathdown County Council Executive Planner's report, REF10426
- An Coimisiún Pleanála referral fee: €220