CONOR POWER Senior Counsel

Law Library Four Courts Dublin 7 DX 81 6564

Mob. 086 8058279 Tel. 01 4449896 conor@conorpower.net

LDG-___O210951-1

November 13th 2019

AN BORD PLEANÁLA

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An Bord Pleanála 64 Marlborough Street, Dublin 1.

RE: 5 Dartmouth Square, Dublin 6,

Dear Sir or madam

I refer to the above property and to our application under s.5 of the Planning and Development Act 2000 for an exemption in respect of proposed works to our house.

The Application for s.5 exemption was initially made in August 2019. We were requested to provide further details, which we did in a renewed application of October 8th 2019.

Please note, this also included an extra issue: that of a gas meter enclosure. This was added because in September 2019 the existing oil boiler broke; it is beyond repair. There are no fireplaces in the house.

We currently have no central heating as (1) the potential installation of a new oil boiler has proven very challenging and (2) we cannot install the gas meter without either an exemption or planning permission.

The application was carefully prepared by our architect, Mr Steven Phillips of Number 8 Studio. We are conscientious and are keen to improve this property. We bought the property this year, moved in in April, and are in the process of converting it from being three separate flats into one family home. We obtained a s.5 exemption to bring the main and first floor into one residence. We plan more work (to include a planning application) to incorporate the garden level, restore features, modernise and bring the house into one unit when resources allow.

These current planned works had two elements. First, to fix the windows; they are in poor repair and make the house cold. We were successful in obtaining a declaration of exemption in respect of those works. We do not seek a review of same – see items 1, 2, 3 and 4 as described in Dublin City Council's decision of October 25th 2019.

The second element is that at number 5: "5 Re-landscaping the front garden, without making any changes or works to the existing railings; to provide a gently sloping path to the lower ground level for baby buggies and bicycles." This was refused an exemption. We seek to review this refusal.

We attach the architect's plans that describe fully the proposed works.

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Office: 1 Arran Square, Dublin 7

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we attach the architect's plans if at describe fully the proposed works



The only reason given for the refusal is that: "The cumulative effect of the proposed interventions to the front garden of the protected structure would materially affect its character and cannot be considered exempted development."

Dublin City Council determined that the proposed interventions were not within s.4(1)(h) and s.57 of the 200 Act, as amended. This seems a conclusion rather than a reason; no other specific reasons were provided.

We respectfully disagree. We note the definition of exempted development in s.4(1) is relevant in two respects:-

(h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance the structure or of neighbouring structures;

And

(j) development consisting of the use of any structure or other land within the curtilage of a house for any purpose incidental to the enjoyment of the house as such.

We also note section 57, such that works must not materially affect the character of the structure.

The proposed works are manifestly sympathetic with the house. They were specifically designed to be so. They are not radical. They are in fact a minor change. They are similar to others in neighbouring houses. But most importantly, they won't be seen. We do not plan to alter the front rails or current hedge. The height of same will ensure that most of the works cannot be seen from the street.

In any case all the works are designed to make the house look better and be more user friendly. We have a newborn and two other young children. We want a path for buggies, and bins. We want to safely lock a bicycle. We want to screen the bins and bike from view. We want a gas meter. None of this is radical or (save the gas meter) in any way different to the use current in fact made of our garden (and most others on the square.)

The only new issue is the small wall for the gas meter. We have been informed by Gas Networks that this is a necessity, otherwise no meter will be installed. There are great number of visible meters on neighbouring houses. We plan to screen the meter in a nice recess.

All of this is manifestly within the curtilage and incidental to the enjoyment of the house as such.

None of the works and incidental to the enjoyment of the house

None of the works relevant to this review are to the structure as such. They are to the front garden. We cannot agree that they "materially" affect the "character" of the structure at all.

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13 NOV 2019 LTR DATED .934 We are happy to provide any further information.

Please note we do not seek an oral hearing.

Because of the pressing heating situation, we request a decision as early as possible.

I enclose all relevant documents. These can be emailed if that is of assistance.

Many thanks for your assistance herein.

Yours sincerely

Conor Power.

Loraine Mulligan.

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Enclosures:-

- 1. Appeal Form
- Written S.5 Application Form 29/7/19 and Letter from Architect Photos and maps accompanying
- 3. DCC letter 30/8/19 seeking more information
- Reply to DCC from architect 4/10/19 to include revised drawings and plan, being:-Front elevation drawing (2 pages)

Site Pant – From garden (2 page format and 4 page format for ease of reading enclosed)

5. DCC decision of October 29th 2019.

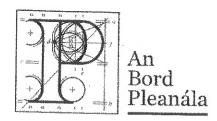
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Planning Appeal Form

Your details

		ils (person making the appeal)	
Yo	ur full details:		
(a)	Name	Conor Power	
		Loraine Mulligan	
(b)	Address	5 Dartmouth Square	
		Ranelagh	
		Dublin 6	

Agent's details

2.	Agent's details (if ag	oplicable)					
	If an agent is acting for you, please also provide their details below. If you						
			e "Not applicable" below.				
	(a) Agent's name n/a						
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(b) National Remarks (b)

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(b) Agent's address	n/a

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3.	During the appeal we will post agent. For this appeal, who should only.)	t information and items to you or to your nould we write to? (Please tick ✓ one box
	You (the appellant) at the address in Part 1	✓ The agent at the address in ☐ Part 2
eta	ails about the propos	ed development
4.	Please provide details about the appeal. If you want, you can incidecision as the appeal details.	e planning authority decision you wish to clude a copy of the planning authority's
(a)	Planning authority (for example: Ballytown City Co Dublin City Council	uncif)
(b)	Planning authority register ref (for example: 18/0123) 0354/19	ference number
	Location of proposed develop	ment
(c)		
(c)	(for example: 1 Main Street, Bail 5 Dartmouth Square Ranelagh Dublin 6	

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Appeal details

 Please describe the grounds of your appeal (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

Please see attached letter.

We seek to review only the DCC decision of 25/10/2019 at No 5: re garden (and not the grant of exemption re the windows.)

In short we do not believe the planned alteration to the front garden will materially affect the character of the house, which is a protected structure. The works fall with s.4(1)(h) and (j).

The works will make the existing use easier: access to the garden level without steps for use of baby buggy and prams, more attractive location for bins and a bike that are currently there in any case.

The only new use is a pier for a new gas meter. We require this as our existing oil boiler is broken beyond repair; we are advised that gas is essential. We currently have no central heating (the house has no fireplaces.) We have a newborn and two young children.

None of the works will be seen from the street: the existing rail is not affected nor do we intend to remove the existing hedge.

There is no work proposed to the protected structure.

The word are designed to be sympathetic to the house. We are conscious of preservation and wish to improve our house. We are in the process of reverting it from poor condition, in three units, to an entire family home.

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Supporting material

- If you wish you can include supporting materials with your appeal. Supporting materials include:
 - photographs,
 - plans,
 - surveys,
 - drawings,
 - digital videos or DVDs,
 - technical guidance, or
 - other supporting materials.

Acknowledgement from planning authority (third party appeals)

If you are making a third party appeal, you must include the 7. acknowledgment document that the planning authority gave to you to confirm you made a submission to it.

Fee

You must make sure that the correct fee is included with your appeal. 8. You can find out the correct fee to include in our Fees and Charges Guide on our website.

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Oral hearing request

If you wish to request the Board to hold an oral hearing on your appeal, please tick the "yes, I wish to request an oral hearing" box below.

Please note you will have to pay an additional non-refundable fee of €50. You can find information on how to make this request on our website or by contacting us.

If you do not wish to request an oral hearing, please tick the "No, I do not wish to request an oral hearing" box.

Yes, I wish to request an oral hearing

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No, I do not wish to request an oral hearing



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DECLARATION ON DEVELOPMENT & EXEMPTED DEVELOPMENT



OAGON City County

SECTION 5 APPLICATION FORM

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TELEPHONE NO. D	ay: SEE BOLOW Mobile: SEE BLOW
NAME OF AGENT A	ND AGENT'S ADDRESS: STEVEN PHILLIPS, ULARENCE & STUDIO,
TOURON, EA	WIEBERD DUBLICUS
	ay: 084 746 763 Mobile: 047 746 7673
ADDRESS FOR COR	RESPONDENCE (if different from above)
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yes, has a Declar 000 been request	ration under Section 57 of the Planning & Development Act ed or issued for the property by the Planning Authority?
	ils of works (where applicable) or proposed development. sted and described under this section will be assessed under ation. Use additional sheets if required.)
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List of plans, drawings etc. submitted with this application	
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If applicant is not owner of site, please provide name & ac	ddress of owner:
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Where there previous planning application/s on this sites of the second	79 04 12019
NOTES	Opening Comments
Application shall be accompanied by 2 copies of site location of the location	s of any additional
Application shall be forwarded to: Dublin City Counci Section, Block 4, Floor 0, Civic Offices, Wood Quay, E	Jublin 8
Contact Details: Phone: 01 222 2149 Fax: 01 222	²⁶⁷ AN BORD PLEANÁLA
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29th July 2019

Planning Department Dublin City Council Civic Offices Wood Quay Dublin 8

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Re: Section 5 Application for 5 Dartmouth Square, Dublin 6

Dear Sirs.

On behalf of Conor Power and Loraine Mulligan, and in accordance with the Planning Acts, we are applying for a Section 5 Declaration on exempted development for proposed works to the house located at 5 Dartmouth Square, Dublin 6, which is a Protected Structure.

It is intended that the house will be subject to a comprehensive refurbishment and renovation project but this will be subject to an application for Planning Permission which is expected to be lodged in the next 6 to 18 months. Prior to winter it is intended to carry out minor works to improve the habitability and functionality of the house, particularly in regard to the windows and the front garden, and a proposal has been developed in association with John J. O'Connell Architects (RIAI Accredited Conservation Practice Grade I).

The proposed works which are the subject of this Section 5 Application are;

- 1. The refurbishment of the 4 existing windows to the front of the house at the main entrance (ground floor) level and the first floor level labelled A to D on enclosed Drawing 1808-S5-2.0.0.
- The refurbishment of the 3 existing windows to the rear of the house at the main entrance (ground floor) level and the first floor and attic levels labelled E to G on enclosed Drawing 1808-S5-2.0.0., including repairs and/or renewal of the patent reveals
- The fitting of draught restricting weather seals to the windows described in 1 and 2 above to improve comfort, thermal performance and reduce energy consumption
- 4. The fitting of restrictors to the windows described in 1 and 2 above to improve safety
- Re-landscaping the front garden, without making any changes or works to the existing railings, to provide a gently sloping path to the lower ground level for baby buggies and bicycles

The existing windows labelled A to G on enclosed Drawing 1808-S5-2.0.0. are in generally sound condition but have been heavily overpainted (including the latches) and some sashes no longer open and require remedial works to the cords and counterweight mechanisms to return the windows to fully functioning operation. This is essential maintenance work and is to be carried out in accordance with best conservation practice, with the retention of original fabric wherever possible including the glass.



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The windows to the front elevation have brick reveals which are in good condition, but the rear windows have patent reveals which are failing and which are breaking away from the walls around the larger of the two windows. These reveals need to be repaired and/or replaced in accordance with best conservation practice and using appropriate materials.

The window sills are in good condition and are to remain as-is.

The windows have been found to allow significant draughts around the sashes and at the meeting rails, which have a very detrimental effect to the occupants comfort and to the energy efficiency of the house. It is proposed to fit weather seals to the sashes to limit the passage of air and reduce draughts. The seals are to be fitted to the sashes and will be generally concealed from view by virtue of their location between window elements. The sashes require small rebates to be made in the sashes to secure the seals in place, however the rebates are very small and will not affect the structural integrity of the sashes and the loss of historic material is minor and balanced by the improved performance of the windows and of the house overall in thermal terms, with reduction in potential for condensation.

The uppermost bathroom window (labelled G on enclosed Drawing 1808-S5-2.0.0) has a non-original lower sash and a modern obscure glass and these are proposed to be retained, however the window does not open and it is proposed to return the window to function by freeing the pulleys from paint and reinstating the opening mechanism with new cords.

The existing front garden is enclosed by the house and on three sides by metal railings. At present the garden is mostly grass with planting to the front and to the side boundaries against the metal railings. A concrete path rises from the gate to the front steps, and then falls and steps down around to the side of the steps down to the lower ground level. This arrangement does not allow safe and easy access for baby buggles, bins and bicycles and is not attractive. It is intended that the baby buggies are stored below the main entrance steps and that bicycles and bins can be stored away to the side where they are less obvious from the street but are still accessible for use. It is proposed to make the planters to the front and North side narrower, reducing the hedge to the north in length and width, and installing a new path that follows the edge of the planters and which falls gently to the lower ground level to allow for the safe and easy passage of baby buggies, bins and bicycles without the need to negotiate any steps. Where necessary very low walls will ensure that the planter level at the boundary railings remain as they are and the railings are unaffected. The grass will be recontoured to gently fall from the existing concrete path - cut back to only serve the front steps - down to the edge of the new sloping pathway.

It is noted that there is a very wide variety of front garden arrangements around Dartmouth Square and that the proposed plan does not introduce any new elements which will be visually intrusive or out of keeping with the protected structure or with the surrounding context. There will be no loss of amenity or negative impact on the protected structure, and the improved appearance, functionality and safety of the proposed plan will enhance the use of the protected structure in the long term.

I enclose herewith in support of this application;

- 01. 2 no. copies of drawings
 - Drg No.1808-S5-2.0.0 Site Location Plan, Floor Plans, Elevations, Front Garden Existing & Proposed, Scales 1:1000 & 1:100 as noted
- 02. 2 no. copies of supporting photographs and window sash details

A cheque made out in favour of Dublin City Council in the amount of €80 being the appropriate fee 04.

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06. A completed Application Form, as issued by Dublin City Council.

FROM

LTR DATED NUMBER & STUDIO, TORYTOPS, BALLINTEER ROAD, DUBLIN 16 T: 01 296 6375 E: info@number8stidio.com

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Yours sincerely,

Steven Phillips - Architect

BArch (Hons) ANZIA MRIAI RIBA

RIAI

Registered Architect

2019

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Supporting Photographs - To accompany;

Section 5 Application for 5 Dartmouth Square, Dublin $\mathbf{6}-29$ July 2019



Photo 1 – Front Elevation (House with Green Door)



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Photo 2 – Rear Elevation

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Photo 3 - Typical window to the front, generally good condition, note missing sash cord



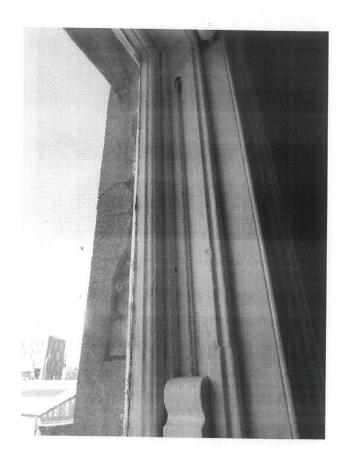
Photo 4- Typical window sill to the front, generally good condition

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Photo 5 – Window to rear, note failing external reveal with debris on sill, and prop to upper sash (broken cords)



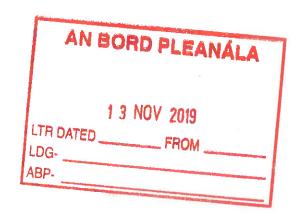
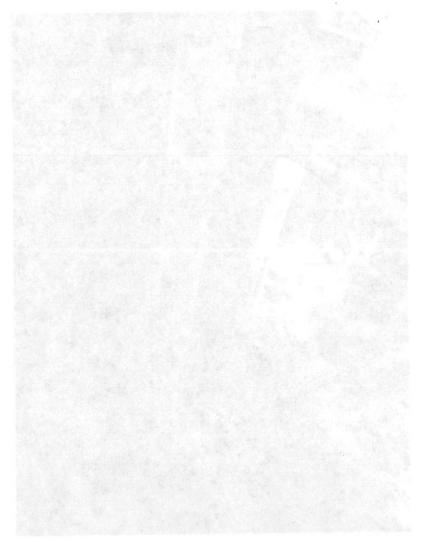


Photo 6- Window to rear, note failing reveal



Plude 5 - Whideve in read, note failing external reveal with debus on all, and prop to upper section for sections;

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Photo 8 - Window to rear, thate failing myest

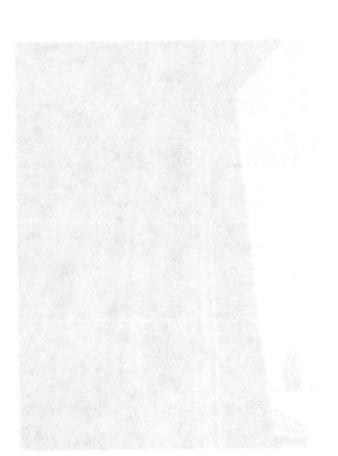




Photo 7 – Existing Front Garden

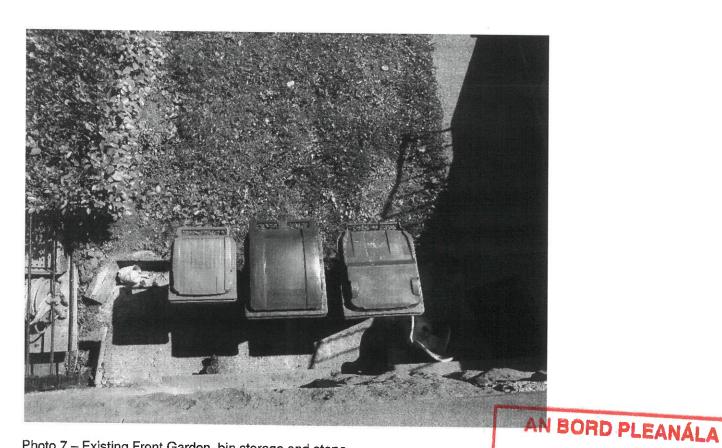
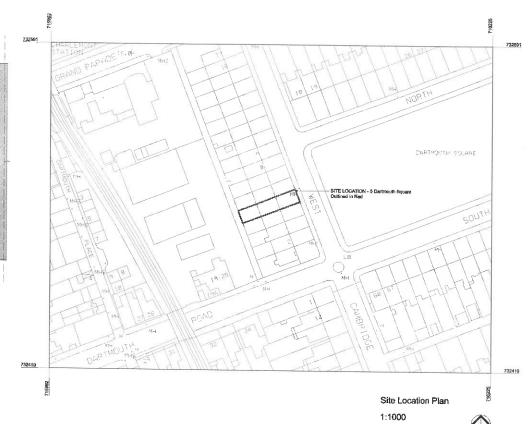


Photo 7 - Existing Front Garden, bin storage and steps

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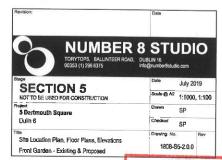
Ordnance Survey ireland Ref. No. 25338639

Location Map for:

Map Series:

1:1000

3264-21 REVISION DATE = 30-Mar-2016 SURVEY DATE = 31-Dec-1969 LEVELLED DATE = 31-Dec-1983



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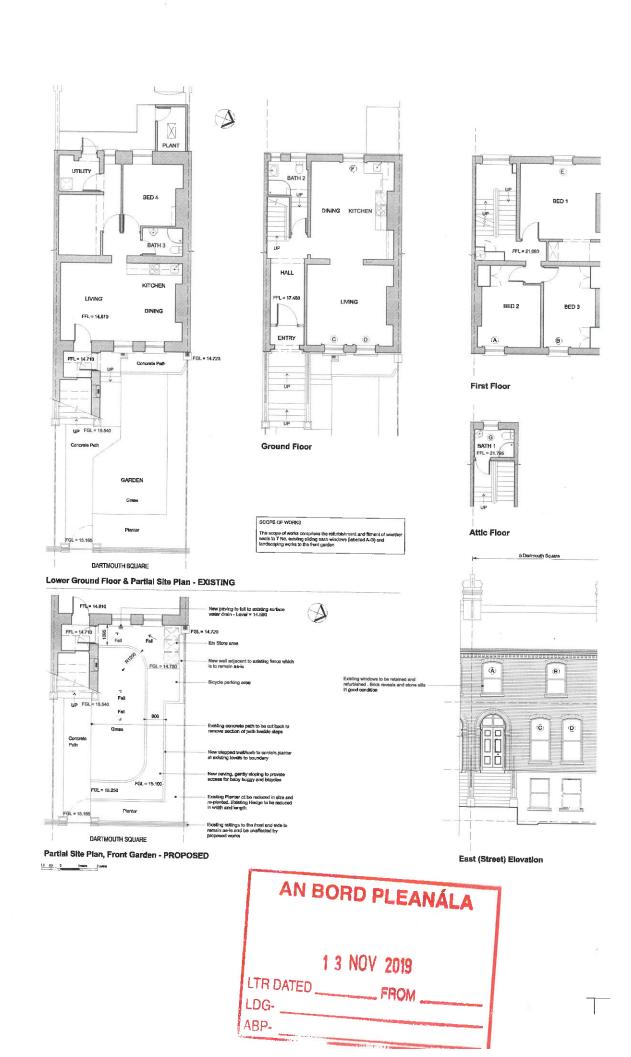
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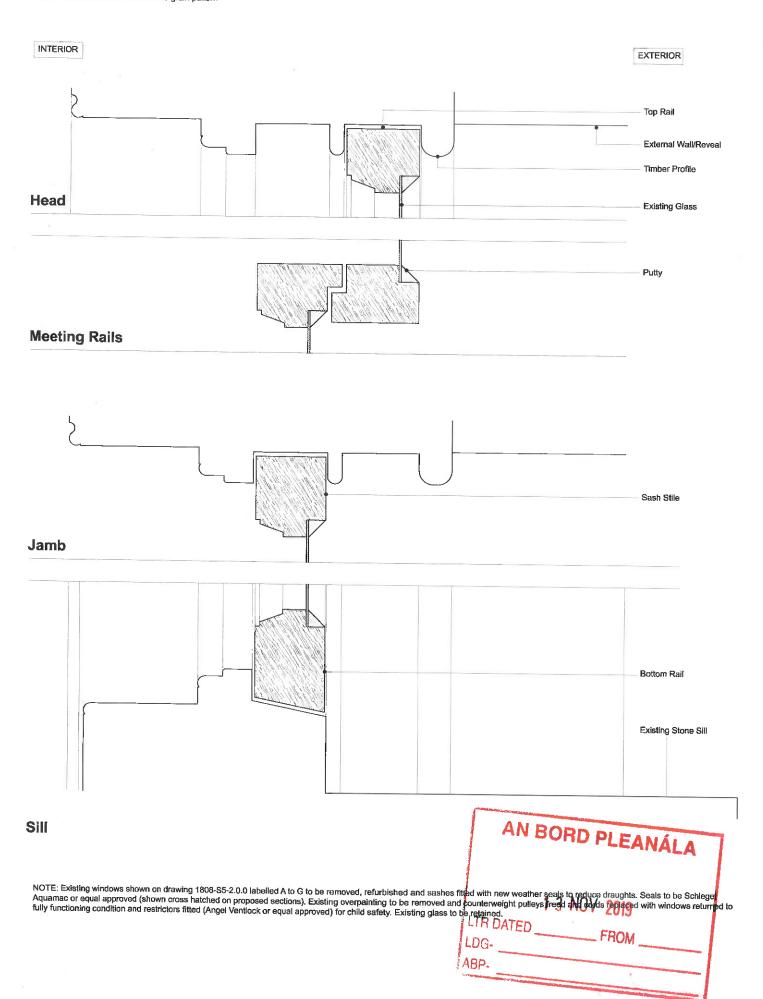
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Window Sash Sections - Typical Existing - 5 Dartmouth Square

Scale 1:2.5, Sash shown with wood grain pattern

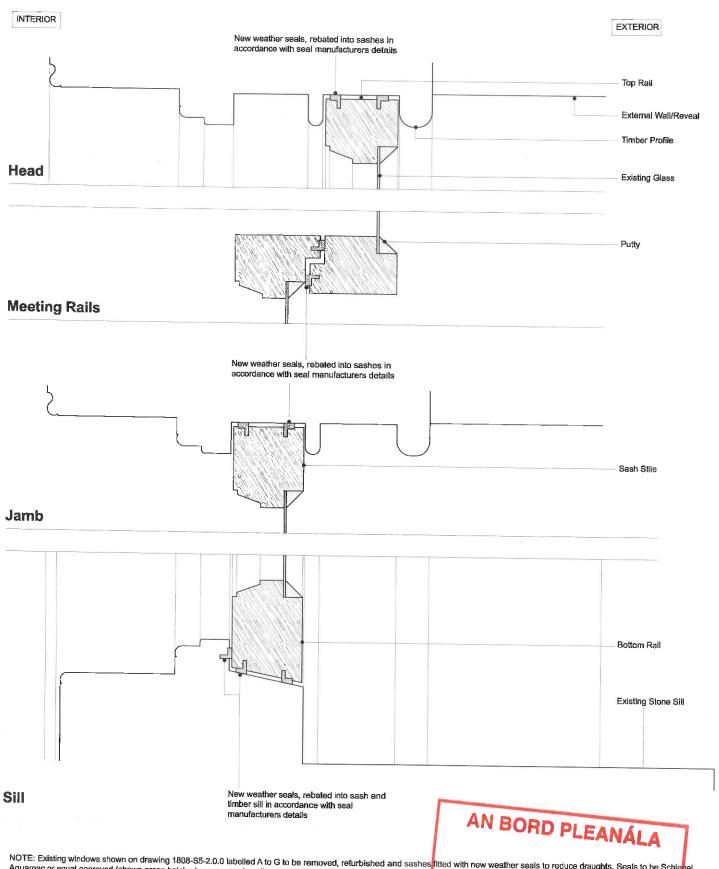


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Window Sash Sections - Proposed - 5 Dartmouth Square

Scale 1:2.5, Sash shown with wood grain pattern

NOTE - NEW WEATHER SEALS SHOWN CROSS HATCHED



NOTE: Existing windows shown on drawing 1808-S5-2.0.0 labelled A to G to be removed, refurbished and sashes fitted with new weather seals to reduce draughts. Seals to be Schlegel Aquamac or equal approved (shown cross hatched on proposed sections). Existing overpainting to be removed and counterweight pulleys freed and cords replaced with windows returned to fully functioning condition and restrictors fitted (Angel Ventiock or equal approved) for child safety. Existing glass to be retained.

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Planning Registry & Decisions, Planning Department Civic Offices, Wood Quay, Dublin 8

Clárlann / Cinntí Pleanála An Roinn Pleanála agus Forbartha, Clárlann / Cinntí Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Claith 8 Registry T: (01) 222 2149 / F: (01) 222 2675 Decision T: (01) 222 2288 / F:

(01) 222 3097

29-Aug-2019

Steven Phillips, Number 8 Studio Torytops Ballinteer Road Dublin 16 AN BORD PLEANÁLA

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Number 8 Studio

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Application Number

Registration Date
Decision Date

Decision Order No. Location

Location Proposal 0354/19

31-Jul-2019 27-Aug-2019 P4772

5, Dartmouth Square, Dublin 6

EXPP: PROTECTED STRUCTURE: 1. The refurbishment of the 4 existing windows to the front of the house at the main entrance (ground floor) level and the first floor level.

2. The refurbishment of the 3 existing windows to the rear of the house at the main entrance (ground floor) level and the first floor and attic levels, including repairs and/o renewal of the patent reveals.

3. The fitting of draught restricting weather seals to the windows

described in 1 or 2 above to improve comfort, thermal performance and reduce energy consumption.

- 4. The fitting of restrictors to the windows described in 1 and 2 above to improve safety.
- 5 Re-landscaping the front garden, without making any changes or works to the existing railings; to provide a gently sloping path to the lower ground level for baby buggies and bicycles.

Applicant

Conor Power & Loraine Mulligan

Dear Sir/Madam,

With reference to the above application, I am directed by the Assistant Chief Executive to formally request that you submit the following ADDITIONAL INFORMATION in accordance with Section 5 of the Planning and Development Act 2000 (as amended).

The applicant is requested to provide details on the height/depth/length of the proposed wall along the northern boundary, an elevation drawing showing its height in relation to the front façade of the house and the material to be used in its construction. This information is to include any proposal for a perpendicular wall at its eastern end.

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Planning Registry & Decisions, Planning Department Civic Offices, Wood Quay, Dublin 8

Clárlann / Cinntí Pleanála An Roinn Pleanála agus Forbartha, Clárlann / Cinntí Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Claith 8 Registry T: (01) 222 2149 / F: (01) 222 2675 Decision T: (01) 222 2288 / F: (01) 222 3097

29-Aug-2019

The applicant is requested to provide section drawings showing the alteration to the slope of the garden across both the grass and the new path to assess whether this will have an impact on the protected structure, particularly within the context of the surrounding gardens. These should be dimensioned so that the impact can be fully assessed.

The applicant is requested to submit full details on the colour texture and nature of the material to be used for the path in order for the impact of this on the protected structure to be assessed.

Please note that the effective lodgement date of your application will be the date on which this notice has been complied with.

Signed on behalf of the Dublin City Council

for Assistant Chief Executive

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4th October 2019

Planning Department Dublin City Council Civic Offices Wood Quay Dublin 8

Re: Further Information - Section 5 Application 0354/19 for 5 Dartmouth Square, Dublin 6

Dear Sirs,

In response to your written request for additional information dated 29 August 2019 regarding the Application for a Section 5 Declaration on exempted development reference 0354/19 for proposed works to the house located at 5 Dartmouth Square, Dublin 6, which is a Protected Structure, please find enclosed two drawings to address your queries.

The additional information, in reference to your requests, can be summarized as follows;

- Details on the height/depth/length of the proposed wall along the northern boundary Heights, depths
 and length are noted and comprehensively dimensioned on the drawings. Note that the wall is at least
 250mm from the existing boundary fence and the top of the wall is no more than 350mm above finished
 ground level and typically 60mm below the ground level at the boundary.
- An elevation drawing showing its height in relation to the front facade of the house and the material to be
 used in its construction Sections x-x and y-y on the drawings include elevations that show the proposed
 low wall in relation to the front facade of the house, and the construction is noted on the Plan
- This information is to include any proposal for a perpendicular wall at its eastern end The wall is only 3380mm long and there's a short return 700mm long at the eastern end and this is 240mm above finished ground level and typically 60mm below the ground level at the boundary.
- Provide section drawings showing the alteration to the slope of the garden across both the grass and the new path and these should be dimensioned — Two sections labelled x-x and y-y are provided and both are dimensioned

Submit full details on the colour texture and nature of the material to be used for the path – The Paving material for the path is to be 100 x 100 (Nominal) Granite Setts, natural silver grey colour, with natural split finish
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I enclose herewith in support of this application;

- 01. 2 no. copies of drawings
 - Drg No.1808-S5-2.1.0 Front Garden Proposed Detail Plan, Sections Z-Z Existing & Proposed at Scale 1:50 as noted
 - Drg No.1808-S5-2.1.1 Sections X-X Existing & Proposed at Scale 1:50 as noted

Yours sincerely,

Steven Phillips - Architect BArch (Hons) ANZIA MRIAI RIBA





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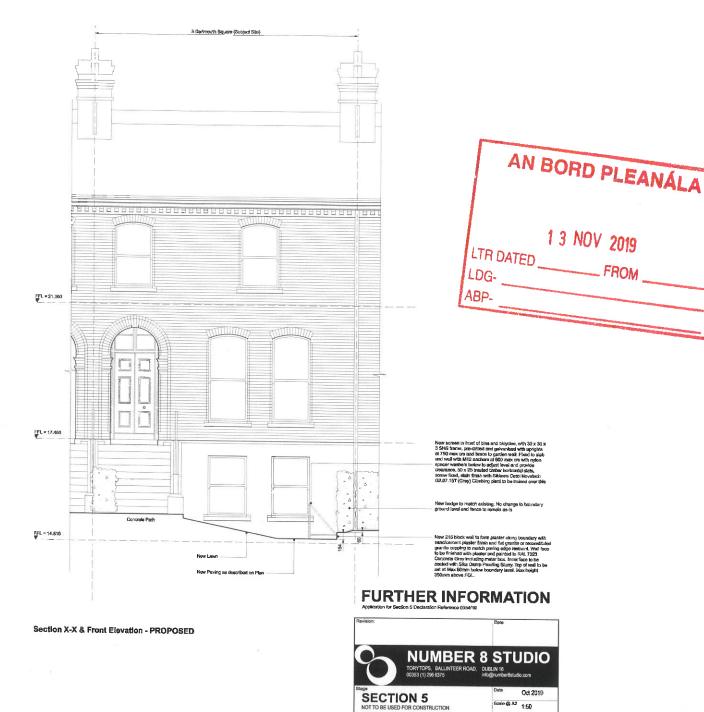
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Section X-X, Existing & Proposed

1808-S5-2.1.1

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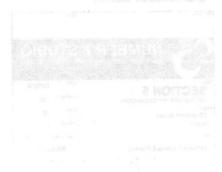
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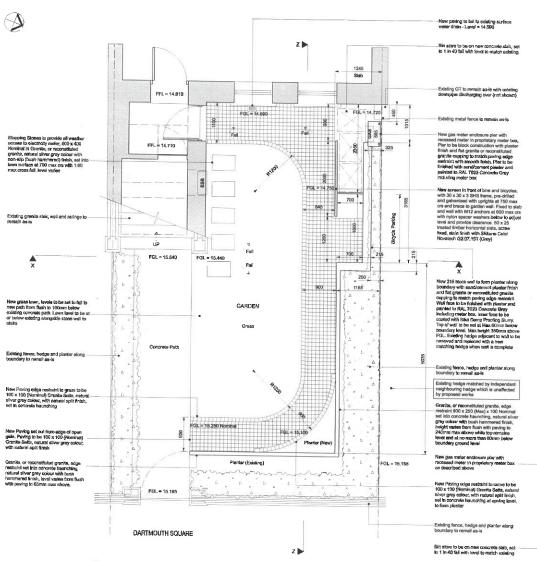
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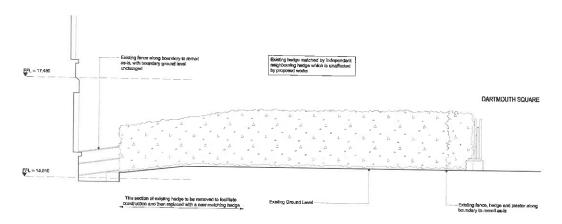


Partial Site Plan, Front Garden - PROPOSED

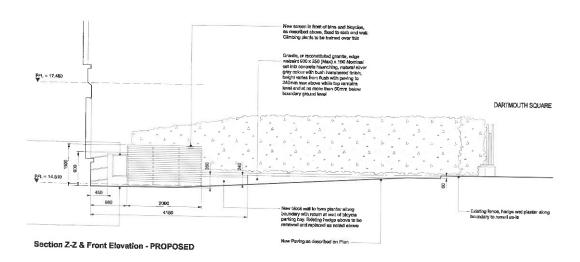
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Section Z-Z & Front Elevation - EXISTING



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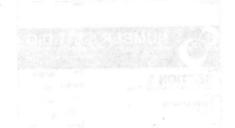
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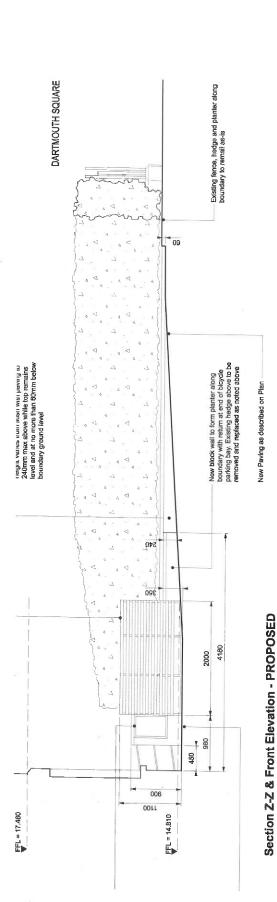
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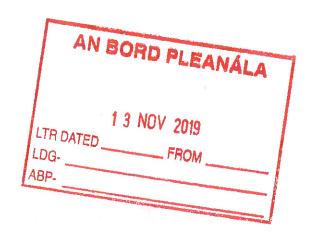
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FURTHER INFORMATION Application for Societion 5 Decision Reference 03554/19

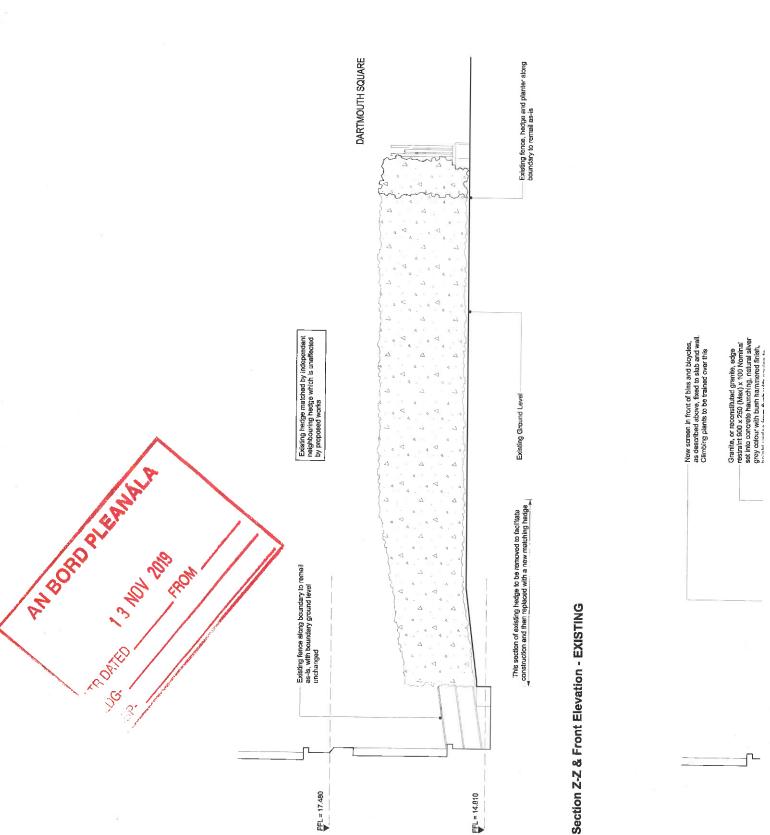
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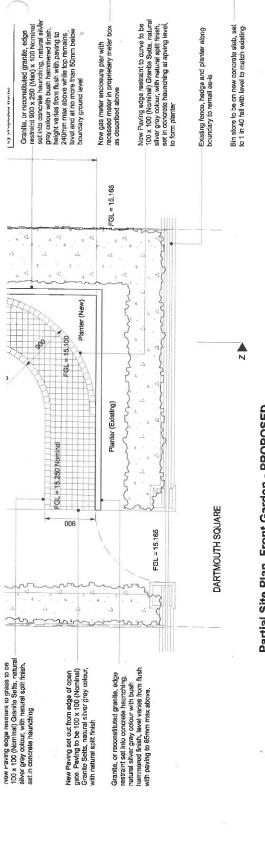


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Partial Site Plan, Front Garden - PROPOSED

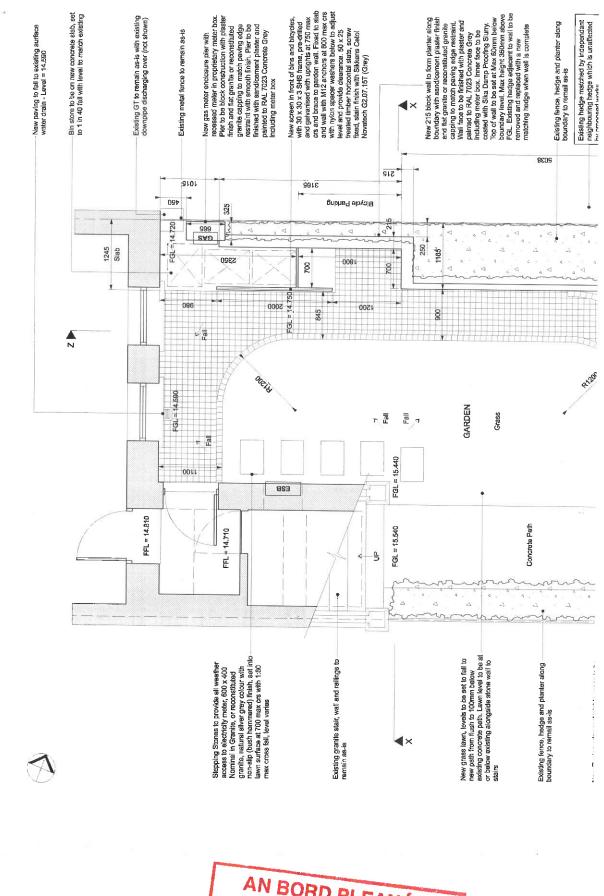
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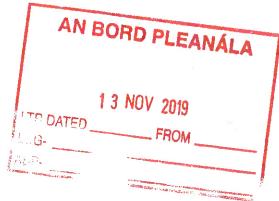
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Planning Registry & Decisions, Planning Department Civic Offices, Wood Quay, Dublin 8

Clárlann / Cinnti Pleanála An Roinn Pleanála agus Forbartha, Clárlann / Cinntí Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8 T: (01) 672 2149 / F: (01) 670 7861

> Date 25-Oct-2019

Steven Phillips. Number 8 Studio **Torytops Ballinteer Road** Dublin 16

Number 8 Studio

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RECEIVED

Application No. Registration Date Decision Date Decision Order No.

0354/19 08-Oct-2019 25-Oct-2019 P5461

Location Proposal

5, Dartmouth Square, Dublin 6

EXPP: PROTECTED STRUCTURE: 1. The refurbishment of the 4 existing windows to the front of the house at the main entrance (ground floor) level and the first floor level.

2. The refurbishment of the 3 existing windows to the rear of the house at the main entrance (ground floor) level and the first floor and attic levels, including repairs and/o renewal of the patent reveals. 3. The fitting of draught restricting weather seals to the windows

described in 1 or 2 above to improve comfort, thermal performance and reduce energy consumption.

4. The fitting of restrictors to the windows described in 1 and 2 above to improve safety.

5 Re-landscaping the front garden, without making any changes or works to the existing railings; to provide a gently sloping path to the

lower ground level for baby buggies and bicycles.

Applicant

Conor Power & Loraine Mulligan

Dear Sir/Madam

With reference to the above proposal submitted by you, you are hereby notified that the Planning Authority in pursuance of the powers conferred on it by the Planning & Development Acts 2000 (as amended) has decided to GRANT EXEMPTION for:

The refurbishment of the 4 existing windows to the front of the house at the main entrance (ground floor) level and the first floor level.

The refurbishment of the 3 existing windows to the rear of the house at the main entrance (ground floor) level and the first floor and attic levels, including repairs and/or renewal of the patent reveals.

The fitting of draught restricting weather seals to the windows described in 1 or 2 above to improve comfort, thermal performance and reduce energy consumption.

The fitting of restrictors to the windows described in 1 and 2 above to improve safety ORD PLEANÁLA

subject to the conditions specified in Schedule 1,

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> Date 25-Oct-2019

SCHEDULE 1 **CONDITIONS AND REASONS**

The proposed works comprise development which would come within the meaning of Section 4(1)(h) and Section 57 of the Planning and Development Act 2000 (as amended) and would not materially affect the character of the Protected Structure and therefore would NOT require planning permission when carried out in accordance with the Guidelines for Planning Authorities on Architectural Heritage (2011)and in line with best conservation practice:

and to REFUSE EXEMPTION for :

Re-landscaping the front garden, without making any changes or works to the existing railings; to provide a gently sloping path to the lower ground level for baby buggies and bicycles.

Note: The landscaping works proposed include the provision of a bin store/bicycle storage area, gas meter enclosure, sloping pathway and increased hard landscaping as shown on Drawings 1808-S5-2.1.0 and 1808-S5-2.1.1. The cumulative effect of the proposed interventions to the front garden of the protected structure would materially affect its character and cannot be considered exempted development.

for the reasons set out in Schedule 2

SCHEDULE 2 **REASONS**

The proposed works comprise development which would not come within the meaning of Section 4(1)(h) and Section 57 of the Planning and Development Act 2000 (as amended) as the proposed development would materially affect the character of the Protected Structure and therefore would require planning permission:

Signed on behalf of Dublin City Council

AM BORD PLEANÁLA 4 Cumo for Assistant Chief Executive

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