

Comhairle Contae Chill Mhantáin Wicklow County Council

Pleanáil, Forbairt Eacnamaíochta agus Tuaithe Planning, Economic and Rural Development

Áras An Chontae / County Buildings Cill Mhantáin / Wicklow Guthán / Tel (0404) 20148 Faics / Fax (0404) 69462 Rphost / Email plandev@wicklowcoco ie Suíomh / Website: www wicklow ie

Sheehan & Barry Architects 88 Ranelagh Village Dublin 6, Ireland D06 Y2W6

June 2025

RE: Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (As Amended) – EX47/2025 –

I enclose herewith Declaration in accordance with Article 5 (2) (A) of the Planning & Development Act 2000.

Where a Declaration is used under this Section any person issued with a Declaration under subsection (2) (a) may, on payment to An Bord Pleanala of such fee as may be prescribed, refer a declaration for review by the Board within four weeks of the date of the issuing of the declaration by the Local Authority.

Is mise, le meas,

ADMINISTRATIVE OFFICER

PLANNING. ECONOMIC & RURAL DEVELOPMENT







Comhairle Contae Chill Mhantáin Wicklow County Council

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DECLARATION IN ACCORDANCE WITH ARTICLE 5 (2) (A) OF THE PLANNING & DEVELOPMENT ACT 2000 AS AMENDED

Applicant: Alfred Beit Foundation

Location: Russborough House, Blessington, Co. Wicklow

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/610

A question has arisen as to whether "(A) Trail Consolidation and upgrade, including reestablishment of undefined trail sections, (B) Renewal of all trail surfaces and (C) Replacement of existing agricultural fencing with estate railings" at Russborough House, Blessington, Co. Wicklow is or is not exempted development.

Having regard to:

- a. The details submitted on 16/04/2025 and 23/05/2025;
- b. Sections 2, 3, 4 and 57 of the Planning and Development Act 2000 (as amended);
- c. Articles 6 & 9 of the Planning and Development Regulations 2001 (as amended);
- d. Schedule 2, Pt.1 Class 11 & Class 13 of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

- (i) The proposal is works and therefore development having regard to Section 3 of the Planning and Development Act 2000 (as amended).
- (ii) The proposal would come within the description and limitations as set out under Schedule 2, Pt.1 Class 11 & Class 13 of the Planning and Development Regulations 2001 (as amended) and is therefore exempted development.

The Planning Authority considers that "(A) Trail Consolidation and upgrade, including reestablishment of undefined trail sections, (B) Renewal of all trail surfaces and (C) Replacement of existing agricultural fencing with estate railings" at Russborough House, Blessington, Co. Wicklow is development and is exempted development

Signed

ADMINISTRATIVE OFFICER

PLANNING, ECONOMIC & RURAL DEVELOPMENT

Dated Dune 2025





WICKLOW COUNTY COUNCIL PLANNING & DEVELOPMENT ACTS 2000 (As Amended)

SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/610

Reference Number:

EX 47/2025

Name of Applicant:

Alfred Beit Foundation

Nature of Application:

Section 5 Referral as to whether or not "(A) Trail Consolidation and upgrade, including re-establishment of undefined trail sections, (B) Renewal of all trail surfaces and (C) Replacement of existing agricultural fencing with estate railings" is or is not development and is or is not exempted

development.

Location of Subject Site:

Russborough House, Blessington, Co. Wicklow

Report from Dara Keane, A.P. & Suzanne White, S.E.P.

With respect to the query under section 5 of the Planning & Development Act 2000 as to whether "(A) Trail Consolidation and upgrade, including re-establishment of undefined trail sections, (B) Renewal of all trail surfaces and (C) Replacement of existing agricultural fencing with estate railings" at Russborough House, Blessington, Co. Wicklow is or is not exempted development within the meaning of the Planning & Development Acts 2000 (as amended).

Having regard to:

- a. The details submitted on 16/04/2025 and 23/05/2025;
- b. Sections 2, 3, 4 and 57 of the Planning and Development Act 2000 (as amended);
- c. Articles 6 & 9 of the Planning and Development Regulations 2001 (as amended);
- d. Schedule 2, Pt.1 Class 11 & Class 13 of the Planning and Development Regulations 2001 (as amended).

Main Reason with respect to Section 5 Declaration:

- i. The proposal is works and therefore development having regard to Section 3 of the Planning and Development Act 2000 (as amended).
- ii. The proposal would come within the description and limitations as set out under Schedule 2, Pt.1 Class 11 & Class 13 of the Planning and Development Regulations 2001 (as amended) and is therefore exempted development.

Recommendation

The Planning Authority considers that "(A) Trail Consolidation and upgrade, including reestablishment of undefined trail sections, (B) Renewal of all trail surfaces and (C) Replacement of existing agricultural fencing with estate railings" at Russborough House, Blessington, Co. Wicklow is development and is exempted development as recommended in the report by the A.P. & Suzanne White.

Signed 🖳

Dated day of June 2025

ORDER:

I HEREBY DECLARE:

That "(A) Trail Consolidation and upgrade, including re-establishment of undefined trail sections, (B) Renewal of all trail surfaces and (C) Replacement of existing agricultural fencing with estate railings" at Russborough House, Blessington, Co. Wicklow <u>is development and is exempted development</u> within the meaning of the Planning & Development Act 2000 (as amended).

Signed: _

Senior Engineer

Planning, Economic & Rural Development

Dated /2 day of June 2025



To: Fergal Keogh S.E / Edel Bermingham S.E.P. / Suzanne White S.E.P.

From: Dara Keane A.P.

Type: Section 5 Application

REF: EX 47/2025

Applicant: Alfred Beit Foundation

Address: Russborough House, Blessington, Co. Wicklow

Date of FI received: 23/05/2025 **Decision Due Date:** 12/06/2025

Exemption Query: Re-establishment & Path Improvement

Assessment:

The issued further information sought clarification with regard to the following:

- In order to fully assess the section 5 query, you are requested to submit further
 details concerning the proposed trail consolidation and upgrade, re-establishment of
 undefined trail sections, renewal of all trail surfaces and the replacement of existing
 agricultural fencing with estate railings inclusive of;
- a) Confirmation that the proposed width of the paths will not exceed 3m.
- b) Full details regarding any site excavation required i.e. depths etc. as part of the trail works
- c) Confirmation that the replacement railings will not exceed 1.2 metres or the height of the structure being replaced, whichever is the greater, and in any event that they will not exceed 2 metres.

In response to above concerns, the applicant has made a submission stating the following:

- a) Confirmation that the proposed paths will have a width of 2.2m and will not exceed 3 metres.
- b) Site excavations will have a max depth of 0.2 metres at any given point.
- c) Confirmation that the height of the proposed replacement railing will not exceed 1.2 metres.

Having regard to the information submitted, it is considered that the proposed a) Trail Consolidation and upgrade, including re-establishment of undefined trail sections and b) Renewal of all trail surfaces would come within the description and limitations as set out under Schedule 2, Part 1, Class 13, of the Planning and Development Regulations 2001 (as amended) whilst the proposed c) Replacement of existing agricultural fencing with estate railings would come within the description and limitations as set out under Schedule 2, Pt.1 Class 11 of the Planning and Development Regulations 2001 (as amended). The

development would also not fall within the remit of limitations of exempt development as set out under Article 9 (1). Hence, it is considered that the submitted response has sufficiently addressed the concerns of the PA.

Conclusion:

With respect to the query under Section 5 of the Planning and Development Act 2000 (as amended), as to whether or not the proposal for;

- A. Trail Consolidation and upgrade, Including re-establishment of undefined trail sections
- B. Renewal of all trail surfaces
- C. Replacement of existing agricultural fencing with estate railings

at Russborough House, Blessington Co. Wicklow' is or is not development and is or is not exempted development:

The Planning Authority considers that:

The proposal for;

- A. Trail Consolidation and upgrade, Including re-establishment of undefined trail sections
- B. Renewal of all trail surfaces
- C. Replacement of existing agricultural fencing with estate railings

at Russborough House, Blessington Co. Wicklow' is development and is exempted development.

Main Considerations with respect to Section 5 Declaration:

- The details submitted on 16/04/2025 and 23/05/2025:
- Sections 2, 3, 4 and 57 of the Planning and Development Act 2000 (as ii. amended):
- iii. Articles 6 & 9 of the Planning and Development Regulations 2001 (as amended);
- Schedule 2, Pt.1 Class 11 & Class 13 of the Planning and Development iv. Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

- A) The proposal is works and therefore development having regard to Section 3 of the Planning and Development Act 2000 (as amended).
- B) The proposal would come within the description and limitations as set out under Schedule 2, Pt.1 Class 11 & Class 13 of the Planning and Development Regulations 2001 (as amended) and is therefore exempted development.

Dara Keane A.P.

11/06/2025

Issue declarate : My Lass



To:

Fergal Keogh S.E / Edel Bermingham S.E.P. / Suzanne White S.E.P.

From:

Dara Keane A.P

Type:

Section 5 Application

REF:

EX 47/2025

Applicant:

Alfred Beit Foundation

Date of Application: 16/04/2025 Decision Due Date: 13/05/2025

Address:

Russborough House, Blessington Co. Wicklow

Exemption Query:

Re-establishment & Path Improvement

Application Site:

The proposed development is located within the grounds of Russborough House within the townland of Russborough, Blessington Co. Wicklow. The dwelling itself is a protected structure (Ref No. 09-08) under the Wicklow County Development Plan 2022-2028 and has also been listed as part of the NIAH Survey (Rag No. 16,400,503).

Aerial Image



Section 5 Referral

From examining the submitted particulars, it is noted that the section 5 query should be re worded as follows:

- A. Trail Consolidation and upgrade, Including re-establishment of undefined trail sections
- B. Renewal of all trail surfaces
- C. Replacement of existing agricultural fencing with estate railings

at Russborough House, Blessington Co. Wicklow.

Relevant Planning History:

PRR21/402 (The Alfred Beit Foundation)- Permission GRANTED for change of use of the following: existing ground floor reception / retail to change to cafe (119m2); existing ground floor east colonnade from exhibition space to change to reception and retail (45m2); existing basement central corridor to change from exhibition to retail (155m2) (a protected structure)

PRR21/73 (The Alfred Beit Foundation) - Permission GRANTED for the development will consist of a new wider vehicular access off the L8363 local secondary road with new gates and forecourt, flank walls and landscaping and local surface water drainage adjustments with removal of an additional 2.1 m section of stone boundary wall to facilitate the propose new access arrangements from that originally permitted. Works will also include further adjustments to the road edge to facilitate sightlines and associated signage than permitted under Wicklow CC Ref. 18/1011. The proposed access arrangements will following the implementation of the proposed development under this application enable a new one way traffic flow system through the existing main visitor car park with exist only via the new entrance and entry only through the existing main gate. This requires condition no. 2 of Wicklow CC Ref. 18/1011 to be amended

PRR18/1011 (The Alfred Beit Foundation) – Permission GRANTED for the insertion of a new vehicular entrance off the L8336 local secondary road with new gates and forecourt, flank walls and landscaping and local surface water drainage adjustments with removal of a section of stone boundary wall to facilitate the new entrance. The development will facilitate the creation of a new one way traffic flow system through the existing main visitor car park with entry only via the new entrance and exit only through the existing main gate

PRR18/979 (The Alfred Beit Foundation) - Permission GRANTED for conversion, repair and extension of the former shed and workman's cottage to create 2no. long term rental single storey dwelling units [2no. 2-bed units] within the existing outer western courtyard [to the immediate west of the aviary] that will include some minor modifications to the courtyard wall to facilitate a single car parking space for each unit with vehicular access off the N81 to the south. The development will also include landscaping and other ancillary works within the courtyard to facilitate development

PRR15/1223 (The Alfred Beit Foundation)- Permission GRANTED for single storey 5 x 8m timber clad support workshop to provide for support facilities for the garden restoration works to be located within the walled garden adjacent to existing potting sheds and greenhouse within the walled garden and screened with new hedge planting (a protected structure)

PRR15/204 (The Alfred Beit Foundation)- Permission GRANTED for change of use of the existing outer western courtyard (to the west of the main house) from an open ancillary courtyard to an aviary tourism attraction totalling 1875sqm to include: - 26 no. variously sized aviary pens to be located within the perimeter walls of the courtyard; - new 1 no. main gate

to facilitate pedestrian access into the development at existing opening on southern elevation of courtyard; 3 no. portakabins (45sqm total) to be located in the south-east part of the courtyard, including reception area, bird feed preparation, and staff areas; and - 3 no. new gates in existing openings within the courtyard walls. The development will also include landscaping and other ancillary works within the courtyard to facilitate the development

PRR14/1994 (The Alfred Beit Foundation) - Permission GRANTED for the construction of new visitor car parking facilities to provide for a max additional 211 car parking spaces (in addition to the existing 43) to include new free draining consolidated hardcore parking surface (Clause 804 type finish) with rolled surface

PRR14/1345 (The Alfred Beit Foundation) - Permission GRANTED for development works; provision of overflow car park located to the east of the walled garden, works to the walled garden comprising demolition of 1 no. later added glass house and 2 no. polytunnels, reopening blocked up door in the walled garden, repairs to garden walls and restoration of 2 no. glass houses, repairs to boundary walls, gates and hard and soft landscaping works, bicycle stands

PRR13/8845 (The Alfred Beit Foundation)- Permission GRANTED for change of use of 1 no. room measuring 33sqm from office to cafe use, including alteration of existing internal window opening to form a door opening connecting existing cafe to proposed new cafe room in East Wing of Russborough House

PRR09/110 (The Alfred Beit Foundation) - Permission GRANTED for development on a site of 89.2 ha approx. identified principally as Russborough House and Estate (a protected structure). The development will comprise the widening of the existing secondary entrance from the N81 (from 8.6m to 10.5m), reconstruction of entrance walls and provision of new access gates (2m in height); provision of an avenue from the existing secondary access to facilitate coach and car access (requiring the removal of a weighbridge, a tank and the demolition of a derelict cottage and prefabricated structure) (38 sgm); demolition of 8 no modern farm buildings (858 sgm) to provide car (82 no) and coach parking spaces (8 no) to the west of the house; provision of overflow car park (176 no spaces) located to the east of the walled garden; change of use of existing basement from storage to exhibition space (574 sqm) and formation of new structural openings to basement walls; removal of window and insertion of door on external wall of northern basement elevation of the house for fire access; unblocking basement window openings; alterations to existing fabric to provide lift from basement to ground floor level of the main house; replacement of toilet and washing facilities; change of use of storage and staff room space (22 sgm) to ancillary retail space to provide an increase in the floor area of the ancillary gift shop from 101 sqm to 123 sqm; provision of toilet and entrance ramps to accommodate disabled persons; repairs and minor works to the limekiln and ice house; the decommissioning of existing septic tanks and replacement with a new wastewater treatment plant, pump and soil polishing filter; works to the walled garden comprising demolition of one no later added glass house (18 sqm) and two no polytunnels (78 sqm), reopening blocked up door in walled garden, repairs to garden walls and restoration of 2 no glass houses; replacement of bridge at lady's island; provision of a childrens playground adjacent to maze; provision of a turnstyle into the maze; repairs to boundary walls; gates; hard and soft landscaping works; bicycle stands; resurfacing works; associated signage; associated lighting and all other ancillary site development and excavation works above and below ground

PRR08/1934 (The Alfred Beit Foundation) - Permission GRANTED for minor alterations to the west wing to create short term guest accommodation to be let by the Irish Landmark Trust. The proposed works includes internal alterations at ground and first floor level and a new external door. Existing partitions on both floors are to be removed to expose more of the original fabric which is currently hidden. Two new openings in the original fabric are

proposed on the ground floor and kitchen and bathroom layouts from the 1970s are to be upgraded and altered as necessary. A small second kitchen is to be added in the current boiler / utility room to allow the wing to be let eitheras a single unit or as two separate units

PRR06/5750 (The Alfred Beit Foundation)- Permission GRANTED for fire safety works, including internal & external alterations at ground floor level; new fire escape door, new external fire escape landing & staircase, fire rated compartment floor with oak boarded finish shall be constructed over the existing basements stairwell to create a protected fire escape exit.

PRR96/4017 (Beit Foundation) - Permission GRANTED for new entrance and roadway

An Bord Pleanala Referrals

RL23.RL3141

The submissions on this file and the Inspector's report were considered at a further Board meeting held on January 23rd, 2014.

The Board approved the terms of the amended draft order set out below and decided that – The construction of pathways/walkways at Tipperary Racecourse, Limerick Junction, Co. Tipperary is development and is exempted development.

In deciding not to accept the Inspector's recommendation the Board considered that the pathways/walkways comprise private footpaths constructed on private land for occasional use associated with race days/events. The width of same do not exceed 3.0 metres and therefore come within the scope of Class 13 – Schedule 2 Part 1 of the Regulations. The Board also considered that no restrictions on exemption under Article 9 of the Regulations apply.

Heritage:

Russborough House is a protected structure (09-08) - Country House

Listed on NIAH Reg no. 16400503 – National rating of architectural, artistic, historical and social category of special interest.

Description: Detached seven-bay two-storey over basement Palladian style mansion, built 1741-48 to designs by Richard Castle, with quadrant Doric colonnades linking to seven-bay two-storey pavilion wings, themselves linked to outbuildings by walls with rusticated arches topped with cupolas. The walls are of dressed granite, with a central feature to the main block consisting of a pediment supported by four three-quarter Corinthian columns with swag mouldings between the capitals, whilst the wings have three-bay breakfront centres with lonic pilasters. Each of the three blocks and the colonnades has a parapet surmounted with urns, and behind each parapet is a slated hipped roof with broad granite chimneystacks to the main blocks. Within the colonnades are arched niches with Classical statues. The entrance consists of a largely glazed timber door with semi-circular fanlight-like eyebrow window above, and is reached by a grand flight of stone steps with the piers of the balustrade topped with urns and heraldic lions. The windows are generally flat-headed and filled with three over three and six over six timber sash frames. Cast-iron rainwater goods. The house is surrounded by an extensive, but largely unadorned, demesne and approached at a right angle from the main avenue to the north-east.

Appraisal: Possibly the greatest Palladian mansion in Ireland and one of the best preserved 18th-century buildings in the whole country, Russborough's worth is beyond doubt.

Russborough entrance arch is also a protected structure located on site (09-09)- Entrance

Listed on NIAH Reg no. 16400504 - National rating of architectural & artistic category of special interest.

Description: Classical style gate screen at the main (eastern) entrance to Russborough House demesne, built c.1745 to designs by Richard Castle. The screen is constructed in dressed granite, with the main carriage gateway in the form of a triumphal arch with flanking pedestrian gates, all topped with pediments. The main gateway consists of a semi-circular headed arch with V-jointed quoins and voussoirs, a raised band at arch springing level, and lion finials to the pediment. The pedestrian gateways are flat arch-headed with V-jointed quoins and raised keystones. The gates themselves are fashioned in wrought-iron and of relatively plain design. The main gates sit within a recess when fully opened. The gate screen is flanked by tall rendered quadrant walls and is situated by a roadside.

Appraisal: Well preserved Classical style gate screen to one of the countries finest Palladian mansions.

Report: None noted at time of writing.

Question:

With respect to the query under Section 5 of the Planning and Development Act 2000 (as amended), as to whether the;

- A. Trail Consolidation and upgrade, Including re-establishment of undefined trail sections
- B. Renewal of all trail surfaces
- C. Replacement of existing agricultural fencing with estate railings

at Russborough House, Blessington Co. Wicklow is or is not development and is or is not exempted development:

Legislative Context

Planning and Development Act 2000 (as amended)

Section 2(1) of the Act states the following in respect of the following:

"structure" means any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined, and—

(a) where the context so admits, includes the land on, in or under which the structure is situate, and

"works" includes Any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal..."

Section 3(1) of the Act states the following in respect of 'development':

"In this Act, 'development' means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land."

Section 4 sets out the types of works that while considered 'development', can be considered 'exempted development' for the purposes of the Act.

Section 4(2) makes provision for ministerial regulations to set out further exemptions. The 2001 Planning Regulations as amended derive from this section and designate further works as being exempted development for the purposes of the act.

Section 57 (1) states "Notwithstanding section 4(1)(a),(h),(i),(j),(k) or (I) and any regulations made under section 4(2), the carrying out of works to a protected structure, or a proposed protected structure, shall be exempted development only if those works would not materially affect the character of - (a) the structure, or (b) any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest".

"protected structure" means-

- (a) a structure, or
- (b) a specified part of a structure,

which is included in a record of protected structures, and, where that record so indicates, includes any specified feature which is within the attendant grounds of the structure and which would not otherwise be included in this definition;

- "structure" means any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined, and—
- (a) where the context so admits, includes the land on, in or under which the structure is situate, and
- (b) in relation to a protected structure or proposed protected structure, includes—
- (i) the interior of the structure,
- (ii) the land lying within the curtilage of the structure,
- (iii) any other structures lying within that curtilage and their interiors, and
- (iv) all fixtures and features which form part of the interior or exterior of any structure or structures referred to in subparagraph (i) or (iii);

Planning and Development Regulations 2001(as amended)

Article 6 (1):

Subject to Article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Article 9 (1):

Development to which article 6 relates shall not be exempted development for the purposes of the Act-

- (a) If the carrying out of such development would-
- (i) Contravene a condition attached to permission under Act or be inconsistent with any use specified in permission under the Act,
- (ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width.
- (iii) Endanger public safety by reason of traffic hazard or obstruction of road users,
- (vi) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

- (vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan, save any excavation, pursuant to and in accordance with a licence granted under section 26 of the National Monuments Act, 1930 (No. 2 of 1930),
- (viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,
- (ix) consist of the demolition or such alteration of a building or other structure as would preclude or restrict the continuance of an existing use of a building or other structure where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use and such objective has been specified in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan.
- (x) consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility,
- (xi) obstruct any public right of way,
- (xii) further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area,

And so on.

Schedule 2, Part 1 outlines classes of exempt development as well as associated conditions and limitations. The following are of relevance:

CLASS 11

The construction, erection, lowering, repair or replacement, other than within or bounding the curtilage of a house, of-

- (a) any fence (not being a hoarding or sheet metal fence), or
- (b) any wall of brick, stone, blocks with decorative finish, other concrete blocks or mass concrete.

Conditions & Limitations

- 1. The height of any new structure shall not exceed 1.2 metres or the height of the structure being replaced, whichever is the greater, and in any event shall not exceed 2 metres.
- 2. Every wall, other than a dry or natural stone wall, constructed or erected bounding a road shall be capped and the face of any wall of concrete or concrete blocks (other than blocks of a decorative finish) which will be visible from any road, path or public area, including a public open space, shall be rendered or plastered.

CLASS 13

The repair or improvement of any private street, road or way, being works carried out on land within the boundary of the street, road or way, and the construction of any private footpath or paving.

Conditions & Limitations

The width of any such private footpath or paving shall not exceed 3 metres.

Assessment:

The Section 5 declaration application seeks an answer with respect to the following question: Whether the:

- A. Trail Consolidation and upgrade, Including re-establishment of undefined trail sections
- B. Renewal of all trail surfaces
- C. Replacement of existing agricultural fencing with estate railings

at Russborough House, Blessington Co. Wicklow is or is not development and is or is not exempted development:

The first assessment must be whether or not the proposal outlined above constitutes development within the remit of Section 3 of the Planning and Development Act 2001. In this regard, Section 3 of the Planning and Development Act provides that:

<u>"development"</u> means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

It should be noted that Section 2 of the Act defines works as:

<u>"works"</u> includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

I am satisfied that the proposal would involve \underline{works} to the land and therefore the proposal does constitute development.

The second stage of the assessment is to determine whether or not the proposed works would be exempted development under the Planning and Development Act 2000 (as amended) or it's associated Regulations.

A.Trail Consolidation and upgrade, Including re-establishment of undefined trail sections and B. Renewal of all trail surfaces

The proposed works as stated above inclusive of a) Trail Consolidation and upgrade, including re-establishment of undefined trail sections and b) Renewal of all trail surfaces are located within the private property of Russborough House and therefore would be considered by the planning officer to fall under the scope of Schedule 2: Part 1 Class 13 i.e.

'The repair or improvement of any private street, road or way, being works carried out on land within the boundary of the street, road or way, and the construction of any private footpath or paving.'

Relevant Schedule 2, Pt.1 Class 13 Checklist

The width of any such private footpath or	Unknown- Insufficient details have been		
paving shall not exceed 3 metres	submitted regarding the overall width and		
	design of the trail proposed.		

The proposed development relates to a Protected Structure, Section 57(1) of the Planning and Development Act 2000 (as amended) is also applicable. In this regard, Section 57 (1) states "Notwithstanding section 4(1)(a), (h), (i), (j), (k) or (l) and any regulations made under section 4(2), the carrying out of works to a protected structure, a proposed protected structure or in this case within the curtilage of a protected structure, shall be exempted development only if those works would not materially affect the character of - (a) the structure, or (b) any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest". The question therefore arises as to whether the proposed works would materially affect the character of the protected structure or any element of the structure which contributes to its interest.

Works that might ordinarily be exempt are not exempt by reason of Section 57, if the works materially affect the character of the structure or element of the structure which contributes to its special architectural interest.

It is considered that the proposed works inclusive of a) Trail Consolidation and upgrade, including re-establishment of undefined trail sections and b) Renewal of all trail surfaces are works which would not materially alter the character of the Protected Structure and therefore may be exempted development.

However, The PA considers that clarification is required to ensure the outright exemption of the proposed development. In this regard, the applicant is asked to confirm that the width of any such private footpath or paving shall not exceed 3 metres along and submitted further details regarding any excavations needed to facilitate the private paths.

C. Replacement of existing agricultural fencing with estate railings.

Schedule 2, Pt.1 Class 11 of the Planning and Development Regulations 2001 (as amended) states that the following constitutes exempted development:

'The construction, erection, lowering, repair or replacement, other than within or bounding the curtilage of a house, of —

- (a) any fence (not being a hoarding or sheet metal fence), or
- (b) any wall of brick, stone, blocks with decorative finish, other concrete blocks or mass concrete.

Relevant Schedule 2, Pt.1 Class 11 Checklist

1. The height of any new structure shall not exceed 1.2 metres or the height of the structure being replaced, whichever is the greater, and in any event shall not exceed 2 metres.

Unknown— Insufficient details have been submitted regarding the height of the railings proposed.

2. Every wall, other than a dry or natural stone wall, constructed or erected bounding a road shall be capped and the face of any wall of concrete or concrete blocks (other than blocks of a decorative finish) which will be visible from any road, path or public area, including a public open space, shall be rendered or plastered.

N/A- Proposed will be a fence structure.

The proposed works to which article 6 relates shall not be exempted development for the purposes of the Act if the carrying out of such works would contravene with the limitations as set out per Article 9 (1). Having regard to this and information submitted, it is not considered that the proposed development would contravene with the limitations as set out per Article 9 (1).

Section 57(1) of the Planning and Development Act 2000 (as amended) is also applicable. In this regard, Section 57 (1) states "Notwithstanding section 4(1)(a), (h), (i), (j), (k) or (l) and any regulations made under section 4(2), the carrying out of works to a protected structure, a proposed protected structure or in this case within the curtilage of a protected structure as detailed above. It is considered that the proposed works inclusive of c) Replacement of existing agricultural fencing with estate railings would also not materially alter the character of the Protected Structure and therefore are may be exempted development.

However, The PA considers that clarification is required in relation to the replacement of existing agricultural fencing with estate railings onsite to ensure the outright exemption of the proposed development. In particular, clarification is required as to whether the height of the new railings will not exceed 1.2 metres or the height of the structure being replaced, whichever is the greater, and in any event will not exceed 2 metres.

Further Information is required.

Conclusion:

With respect to the query under Section 5 of the Planning and Development Act 2000 (as amended), as to whether or not the proposal for;

- A. Trail Consolidation and upgrade, Including re-establishment of undefined trail sections
- B. Renewal of all trail surfaces
- C. Replacement of existing agricultural fencing with estate railings

at Russborough House, Blessington Co. Wicklow is or is not development and is or is not exempted development:

The Planning Authority considers that:

The proposal for;

- A. Trail Consolidation and upgrade, Including re-establishment of undefined trail sections
- B. Renewal of all trail surfaces
- C. Replacement of existing agricultural fencing with estate railings

at Russborough House, Blessington Co. Wicklow is development and that Further Information is required to determine if the proposed development is exempt development.

Recommendation:

FURTHER INFORMATION

- 1. In order to fully assess the section 5 query, you are requested to submit further details concerning the proposed trail consolidation and upgrade, re-establishment of undefined trail sections, renewal of all trail surfaces and the replacement of existing agricultural fencing with estate railings inclusive of:
 - a) Confirmation that the proposed width of the paths will not exceed 3m.
 - b) Full details regarding any site excavation required i.e. depths etc. as part of the trail works
 - c) Confirmation that the replacement railings will not exceed 1.2 metres or the height of the structure being replaced, whichever is the greater, and in any event that they will not exceed 2 metres.

Dara Keane

Assistant Planner

08/05/2025

for SI M SOO 8/5/2025.

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Section 5 Application Conservation Assessment

RUSSBOROUGH HOUSE, Blessington, Co. Wicklow



On the Instruction of: The Alfred Beit Foundation

Ref.: 2493B April 2025

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1. INTRODUCTION

1.1. Instructions & Brief:

This Conservation Assessment has been prepared on the instructions of The Alfred Beit Foundation to accompany the Application for Declaration of Exempt Development, addressing the relevant heritage issues arising from the re-establishment and path improvement scheme for the existing northern woodland walk works proposed for Russborough Demesne.

The assessment of the impact the proposed works may have on the protected structures has been made by Romy Kanitz, Grade 2 Conservation under guidance by David Averill, Grade 1 Conservation Architect of Sheehan & Barry Architects following visual inspection prior to the design development.

This report has been prepared in line with the approach outlined in the Architectural Heritage Protection -Guidelines for Planning Authorities (2011). The impact the proposed works may have on the protected structure have been assessed, considering Section 2 of the Planning and Development Act 2000. Any or all of the proposed works have the potential to materially and visually affect the character of the protected structure.

This document addresses the works proposed to create a continuous Woodland Walk to the north of Russborough House. The scope of works is summarized in brief herewith:

- Trail consolidation and upgrade, including re-establishment of current undefined trail sections. a.
- b. Renewal of existing and/or non-existing trail surfaces.
- Reinstatement of historic park railing, including removal of existing post-and-wire fencing.

This assessment document includes a brief outline of the historic and landscape design appraisal of the estate. The background, methodology and specification for each element of the proposed works is described in some detail.

1.2. Location:

Russborough House and Demesne is situated in County Wicklow, south-west of Blessington town, and about 30km south of Dublin city. The site is located west of the Blessington Lakes, and is separated from the water reservoir by the N81 connecting Dublin and County Carlow to the south. The demesne borders on County Kildare to the immediate west.

Russborough House is located in the central part of the demesne, with the Lake Walk stretching out in front of the house to the south and the Woodland Walk encircling the northern part of the demesne. The main access to the house is via the main entrance gate (RPS No.09-09) located at the eastern boundary of the demesne.

1.3. Protected Structure Status

Under the current Wicklow County Development Plan 2022-2028 - Record of Protected Structures, Russborough House is listed as a Protected Structure.

RPS No.:

09-08

NHBS No.:

16400503

NHBS rating

national

Categories of Special Interest Architectural, Artistic, Historical, Social

Russborough House & Demesne does not lie within an Architectural Conservation Area, or an Area of Archaeological Potential or Significance.

It lies in the vicinity of Poulaphouca (Blessington) Reservoir, as Special Protection Area and Proposed Natural Heritage Area. The site is part of an Area of Outstanding Natural Beauty (Blessington Lakes Area) and the Western (N81) Corridor Area Landscape.

Due to its proximity to Blessington the demesne lies besides the Outdoor Recreation and Tourist Hub, and Destination Towns of Blessington & Baltinglass.

2. HISTORIC & ARCHITECTURAL APPRAISAL

2.1. Historic Appraisal

The Heritage Council Conservation Plan (2005) states that 'Russelltowne' was first mentioned in the mid-16th century, specifically as 'Thomas Russell's land' in the *Archbishop Alen's Register* and in the *Crede Mihi*. Variations of the name appear in several documents relating to the area over the centuries, from 'Russelleiston' in 1541 to 'Russelston' in 1583 (both in *The Calendar of Fiants*). The County of Wicklow map by William Petty dated 1685 (see Fig.01) shows the area as 'Rufellftowne'.

In the late-seventeenth century John Graydon acquired most of the lands of 'Russellstown', and building a house there by 1714 sited south of the present mansion. 'Russelltown House' was lost below the Poulaphuca Reservoir when it was flooded in 1937-39. In 1741 Joseph Leeson II purchased large parts of the Russelltown lands from the heavily indebted Graydon family. The Palladian style house, built 1741-51 to designs by Richard Castle – then the leading classical architect in Ireland – comprises a grand central block with generous wings and magnificent curved colonnades. The main architectural composition consists of Wicklow granite façades and decorative elements. The wider formal architectural composition included fully-integrated stables, offices, kitchen yards, staff accommodation and associated farm structures to corresponding hierarchal architectural expression. A 1752 map by Noble & Keenan (see Fig.02) shows the estate as 'Leeson's Esq', bound by the Liffey River in the south, the road to Ballymore in the north. A three-bay house with two tower-like wings is shown, which most likely is not an accurate depiction.



Fig.01: detail from "The County of Wicklow" map by William Petty, 1685



Fig.02: detail from "County Kildare, Section South" map by Noble & Keenan, 1752

Joseph Leeson II became an MP for Rathcormack in 1743 until 1756, when he advanced to the Irish peerage of Baron Russborough. In 1760 he was promoted to viscount in 1760, and ascended to 1st Earl of Milltown, the title taken from the townland in County Dublin, in 1763. He became a Privy Councilor in 1770, and in 1772 took on the role of Governor of Wicklow.

Following his death in 1783, his son Joseph III succeeded him as 2nd Earl of Milltown. A map by Alexander Taylor from that year (see Fig.03) shows the depiction of the house central block within the wooded estate of 'Ruſsboró'.

The map by Arthur R. Neville from 1800 (see Fig.04) shows the 'Ruffborough' estate with its main building, depicted as three-bay two-storey gable ended house with single storey wings either side, set within the undiminished woodlands. The elevational depiction is not to be taken as a realistic or truthful illustration of the mansion, but as a symbol or icon to show a stately-sized home.

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Fig.03: detail from "A Map of County Kildare – Sheet 6" by Alexander Taylor, 1783



Fig.04: detail from "Map of County Wicklow" by Arthur R. Neville, 1800

The first accurate detailed published map dates to 1840 (see Fig.04), based on the Ordnance Survey Ireland from 1837-38. It depicts a formal but less geometrical landscape layout with softer outline and simple curved lines, than the 1760 map by John Rocque (see Fig.07). The estate lands south of the Blessington Road is shown as a more naturalized landscape.

The 4th Earl of Milltown died in 1866, and his successor the 5th Earl shortly thereafter in 1871. With the marriage between the 6th Earl of Milltown and Geraldine Evelyn Stanhope in the same year, the financial situation at Russborough improved due to the substantial dowry. As the marriage was childless, the younger brother Henry became the 7th Earl when Lord Milltown died in 1890. Henry died only one year later in 1891 as the last Earl of Milltown. Widow Countess Geraldine Milltown continued living at Russborough until her death in 1914, where she played an important role in protecting the legacy. She acquired the heirloom and donated it to the National Gallery of Ireland, where it forms part of the national collection within the Milltown Wing since 1906. The second edition of the Ordnance Survey Ireland maps shows the estate relatively unchanged, although the formal landscape has become even less geometrical. The map shows a tram station nearby, following the extension of the Dublin & Blessington steam tram to allow for tourists and visitors to access Poulaphuca and the riverside pleasure grounds of Russborough. The line was closed in 1927.



Fig.05: detail from 1st edition 6" OSi_map 1840

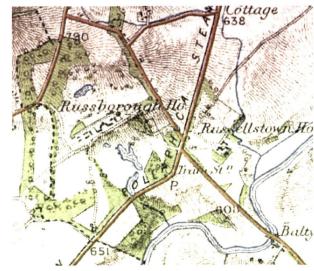


Fig.06: detail from 2nd edition 25" OSi_map 1903

Russborough House and Demesne were inherited by Edmund Russborough Turton, grandson of the 4th Earl. He retained the estate as well as a considerable staff of household, gardening and farm workers to maintain Russborough as his second seat. The house and demesne got through the years of national unrest, the War of Independence (1919-21) and the Irish Civil War (1922-23) fairly intact. Sir Edmund Russborough Turton's widow offered Russborough House & Demesne to the newly founded Free-State upon his death in 1929. The offer was declined, and Russborough and its 600 acres were subsequently sold in May 1931 to Captain Denis Bowes Daly. Daly, a captain of the cavalry regiment, 8th King's Royal Irish Hussars, and grandson of the 2nd Lord Dunsandle, married in 1932, and the family settled in Russborough. They maintained, and improved the house and estate, with a keen eye for conservation of the mansion. In 1939 the Liffey Reservoir Scheme was implemented, flooding the valley and thus creating the Poulaphuca Reservoir, better known as Blessington Lakes. Financial difficulties in the late 1940's resulted in the sale of some of the lands.

Daly eventually sold Russborough House & Estate to Sir Alfred Beit at an auction in October 1952. Sir Alfred Lane Beit, nephew and heir to Alfred Beit the co-founder of the diamond mining company Wernher, Beit and Co., was married to Clementine Freeman-Mitford, first cousin of the renowned Mitford sisters. The Beit's were living in South-Africa at the time of the purchases, but relocated to Russborough immediately, and made it their principal home. Russborough flourished in the tradition of the great Irish country houses, providing a perfect setting for the display of one of the most important private art collections of Europe. Following the transfer of the estate to the Alfred Beit Foundation in 1976, which opened the house for the public, the Beits lived in the west wing until their respective deaths.

Today, the Alfred Beit Foundation owns Russborough and a major part of the Russborough demesne and landscape, comprising some 230acres. The Alfred Beit Foundation was established in 1976 as a Registered Charity by Sir Alfred and Lady Clementine Beit. It is entrusted with the development, management and care of Russborough. Its principal purpose is the advancement of education in fine arts for the benefit of the public, together with the long-term preservation of Russborough, its art collections, gardens and parklands.

2.2. Landscape Appraisal

Russborough House is considered one of the best-preserved eighteenth-century buildings in Ireland, and possibly the greatest Palladian mansion in the country. Richard Castle (or Cassells) a renowned architect of the time was commissioned to design the Palladian-style country house. The formal architectural composition consists of a seven-bay, two-storey over a raised Basement, central block which is flanked by curving quadrant Doric colonnades to lower seven-bay two-storey pavilion wings; all constructed in granite from the local Golden Hill quarry (Wicklow granite). These themselves are linked to outbuildings by screen walls with arched gateways with cupolas creating two formal yards, the stables to the east, and the offices and kitchen to the west. In the first phase a formal landscape was laid out around the house, possibly by Joseph Smith, which included ramped and turfed terraces, the canal to the north, a less geometric lake to the south, the walled garden to the east, and 'nearly 22,000 trees planted that year". The first visual depiction of the demesne's layout, the main architectural composition, and the associated built structures, is available on the 1760 John Rocque Map.

Landscape Setting

The part of the estate this application relates to, comprises the parts of the landscape to the north and west of the Russborough House and pleasure grounds, beyond the north ha-ha; in particular the former Upper Wood Area which extends to the north east as far as the present demesne boundary and to the north west as far as the public road, incorporating the mixed woodland planting, and the linear woodland belt along the western boundary line.

Russborough Estate's beautifully crafted landscape, attributed to Castle, is equally established from the mid-18th century, blending seamlessly with the existing agricultural scenery. The influence of Stephen Switzer (1682-1745), renowned landscaper, nurseryman, and writer, is palpable in Richard Castle's vision for Russborough.

¹ Minute Book of the Royal Dublin Society, entry for 10th February 1742

The 1760 John Rocque Map (see Fig.07) is the first visual depiction of the demesne's layout, the main architectural composition, and the associated built structures showing a more formal layout of paths, plantings, earthworks and boundaries, than survives to the present day. The map depicts the setting, especially its various walks, woodland paths and formal tree plantings in great detail. It shows tree planting along the formal east and west boundary. A path to the east leads from the house northwards to the *Upper Wood*, which wraps around the *Upper Lawn* and contains a number of intersecting rectilinear walks (or rides). It appears that some of the walks afforded views out from the woodland to the north and east across the agricultural lands (the Upper and the Back Lawn).

It shows an apsidial canal, or *Pond*, with ascending terraces between the canal and the *Upper Lawn* to the north. By 1783 the *Upper Wood* continued to the west boundary walls. Most of the informal walks within it have since been lost. A path along the western boundary leads from the house northwards within the peripheral tree planting.

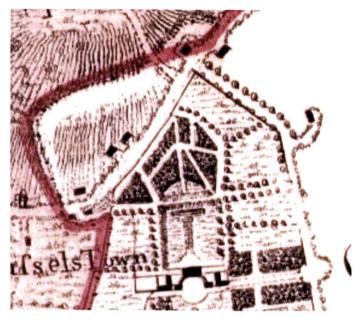


Fig.07: detail from "An actual Survey of the County of Dublin" - map By John Rocque, 1760

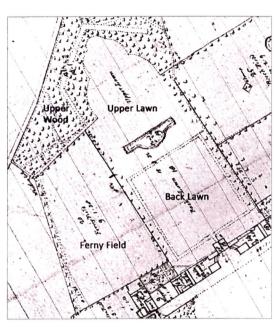


Fig.08: detail from Russborough Demesne Plan ca.1783

This arrangement is largely recorded in the 1839 Ordnance Survey 1st edition plan (see Fig.09 below), which in addition shows the redesigned north terrace immediately behind the house as a gardened area. The path and walkway network in the *Upper* Wood and along the eastern boundary are omitted from survey plan, yet the southern end of the western boundary path is clearly shown.

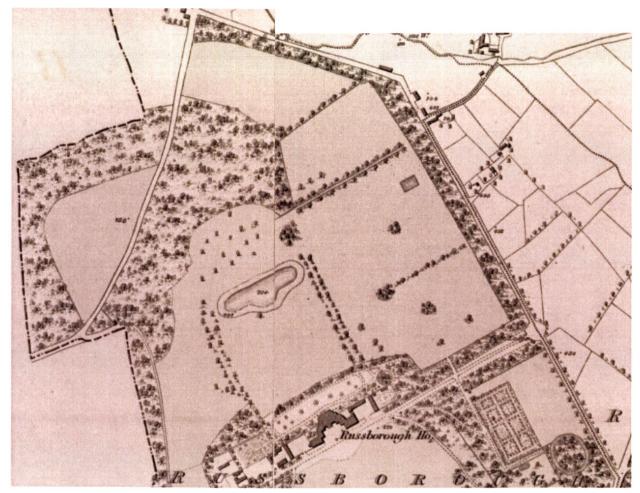


Fig.09: detail from 1st edition 6" OSi_map Wicklow Sheet 5 & 5A; surveyed 1838, engraved 1839

The 1911 Ordnance Survey 2nd edition plan (see Fig.10 below) records a less formal layout, with a formal line of trees extending northwards from the house to the east and west towards the canal and *Upper Wood*. The former formal woodlands are depicted as a loose planting of trees and the formal canal depiction shows a circular island. But by and large, the maps record the same layout of grassed and woodled areas and formal gardens as the 1st edition OSi map.

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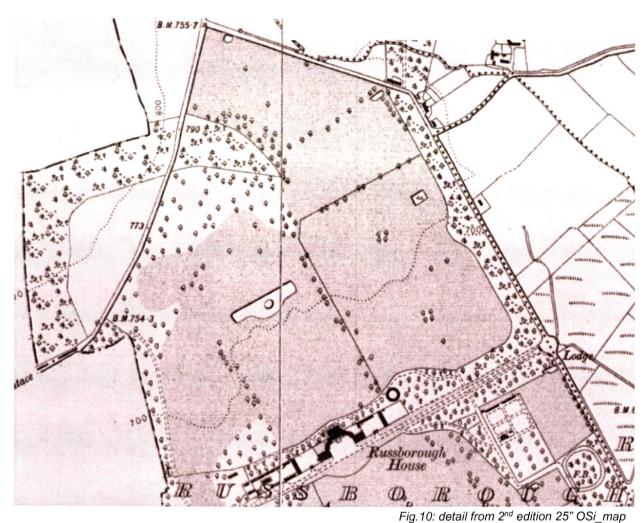


Fig. 10: detail from 2rd edition 25 OSI_map

Wicklow Sheet 5 & 5A; surveyed 1908-09, printed 1911

James Russell, the plantsman and garden designer from Sunningdale Nurseries, together with architect Sir Martyn Becket and Swiss landscape architect Walter Brussel, produced designs, developed plans and planting proposals for numerous parts of the demesne over a decade from the mid-1950s onwards. They produced a series of proposals for the north vista, which was only partially implemented however a number of trees from this planting period survive within the *Upper Wood*. These include Red and Scarlet Oak, Cutleaved Beech and Deodar Cedar. None of these species have been successful in establishing themselves however and they also sit uncomfortably within the earlier woodland plantings here, which are principally of Oak, Beech, Lime, Sycamore and Horse Chestnut².

Following James Russell's involvement, plantings of parallel lines of trees, mainly Beech, were introduced presumably by Sir Alfred Beit. More recently a shelter belt of linear plantings of Beech, Larch, Oak and Holm Oak along the east boundary has been put in.

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² Russborough Demesne, Co. Wicklow, Ireland – Conservation Management Plan by Christopher Gallagher and Dr. Sarah Rutherford, April 2022 report - page 191

3. CONSERVATION IMPACT ASSESSMENT

3.1. Background and General Description

The part of the estate this application relates to is the area to the north of the house and estate, especially the woodland and tree plantings along its current eastern, northern and western border.

There are eight distinct sections which together make up this Woodland Walk, a loop walk through the northern half of the demesne.

- 1. Across North Terrace (existing track and pathway) from the east wing café terrace (former kitchen yard) passing the parking area.
- 2. Through the East Belt (existing track, grass pathway and trodden trails) plantation.
- 3. Through the Top Wood (trodden trails) the eastern part of the Upper Wood.
- 4. Through the north section of Western Park (existing grass path) the western part of the Upper Wood.
- 5. Through the south section of Western Park (trodden trails) the western part of the Upper Wood.
- 6. Along the Ferny Field and West Belt (existing track).
- 7. Along Ferny Field south border (trodden trail).
- 8. Across North Terrace (existing track and pathway) around the Coach Yard and Milltown Tomb area.



Fig.11: sketch of current landscape layout February 2025

Most visitors start the Woodland Walk via a gate to the East Belt (2), located at the northern corner of the car park, where the path leads northwards to the south-east corner of the Upper Wood (now called Woodland Garden). This woodland belt is a relatively new plantation of beech, larch and oak of varying condition. The southern end of the East Belt is marked by a stalling historic Beech tree, while the northern end is marked

by a very fine large surviving historic Beech tree. The path is a grass pathway through the planting, closely following a historic route. A number of interpretative panels are located along the path, providing context and information regarding the terraces and canal, as well as plants and wildlife likely to be found in the area. The path passes a temporary rugby pitch, the terraced *Back Lawn* and *Canal*, before turning west, were the route leads in a loop through the *Upper Wood*. Any possible view towards the eastern boundary of the demesne is obscured by the current planting. The view south-west, back to the house, and west, across the *Back Lawn* is still possible.

The northern part of the route, through the *Upper Wood* and around the *Upper Lawn*, is accessed through remnants of a small metal *Kissing Gate* at the north-end of the eastern wood belt, where it enters the *Top Wood (3)*. The area is exited through a similar small metal gate to its south-western corner, where it enters the *Western Park (4 & 5)*. Many of the historic trees survive in this part of the proposed walkway, including Beech, Oak and Horse Chestnut. The *Top Wood* (north-east part) of the woodland contains most of the fine large trees, as well as well as several of James Russel's Rhododendron, Laurel and Acer plantings. There is no distinct path or walkway through the area, but rather trodden trails with the possibility of surviving historic paths and/or walks which are currently not visible. The *Western Park* areas of the woodland, along the boundary wall, consists mainly of linear plantations including young Oak, Scots Pine and Beech, as well as some fine and tall spreading trees mostly planted in the early-19th century. The first section of the path (4) in this area is a grass pathway beside the historic boundary wall, the lower section of the area (5) has rather trodden trails with a distinct path or walkway missing. The historic *Pedestrian Entrance Kiosk* is located in the Top Wood area, beside the historic boundary wall, which used to be attended by Alfred Beit on the days when the woodland walk was opened to the public. The views here are internal views of the woodland itself. On its southern corners views principally towards the back of the house across the *Upper* and *Back Lawn*.

The return path (6), leads from the south-west corner of the *Upper Wood* along the west boundary of the *Upper* and *Back Lawn* southwards to the western approach coach drive, and terminates in front of the coach parking yard. Trees within this part of the woodland are predominantly of Beech, with occasional Sycamore and Lime, and a more recent Oak plantation adjacent to the demesne boundary itself. The track, which follows the historic path route, has a recent hardcore surface which and starts at the animal pens where the historic Back Gate Lodge used to stand. The views here are principally back towards the house across *Ferny Field* and *Back Lawn* where some of the historic linear plantings, which lead to the *Canal*, like fine oak and beech trees survive.

The hardcore track then joins the avenue running in front of the house from east to west, as well as the recent western approach route, the coach bus access route. A trodden grass path (7) turns east at a level of the historic rear garden on the rear north side of Russborough House, where it joins the Milltown Tomb pathway (8). At the moment the Woodland Park loop walk does not have designated endpoint.

The lawn areas (Back Lawn, Upper Lawn and Ferny Field) are currently bound by agricultural post-and-wire fencing, with remnants of historic estate railings surviving along the Upper Wood area.

3.2. Brief Description of Proposed Scheme

The proposed (a) path improvement scheme to re-establish a coherent and continuous trail looping around the northern part of the demesne comprises the following:

- Existing track (1) across east-end of North Terrace to be maintained and upgraded.
- Existing grass pathway (2) through the East Belt plantation to be consolidated.
- Route (3) through the Top Wood area to be re-established.
- Existing grass pathway (4) through Western Park, along the boundary wall, to be consolidated
- Route (5) through lower section of the Western Park area to be re-established.
- Existing track (6) along Ferny Field to be maintained.
- Existing trodden path (7) to be consolidated to join Ferny Field track with the Milltown Tomb path.
- Existing track (8) across west-end of the North Terrace Tomb to be maintained and upgraded.

The proposed works will include:

- (b) Removal of existing surface.
- (c) Installation of new land-drain.
- (d) Installation of tree root protection.
- (e) Installation of new surface finish.
- (f) Installation of estate railing.

3.3. Conservation Impact Considerations

Russborough House has been in continuous occupation, and has benefitted greatly from the careful stewardship of its past and present owners, and their on-site employees. The grounds are secure, and very well maintained, the house-keeping of the original architectural composition is carefully managed. Since the Alfred Beit Foundation has taken on the stewardship of Russborough House and Demesne, a substantial program of maintenance works to the grounds, especially to the southern part of the demesne, have been undertaken in recent years. The requirement to provide pedestrian access to the northern part of the demesne has been identified in various conservation management plans, including as recent as 2022, by Christopher Gallagher and Dr. Sarah Rutherford in conjunction with the Department of Community and Rural Affairs, Wicklow County Council.

The detailed proposals as described below take into account best practice principles in conservation, as required by the *Wicklow County Development Plan 2022-2028* and the guidance issued by the Department of Culture, Heritage and the Gaeltacht – e.g., the implementation of the minimum intervention, the application of sympathetic and appropriate materials and techniques.

a. Landscape Setting

The proposed loop generally follows established paths, except for the *Top Wood* section (3) and the lower part of the *Western Park* section (5) where the existing pathways have been lost over time. Neither accurate plans or map, nor visible physical evidence survives which would indicate the exact course of the routes, especially through these *Upper Wood* sections. The proposed loop route has been carefully considered to prevent the physical impact on historic features, i.e., terraces, the canal and other earthwork, or the historic demesne boundary wall and Alfred Beit's *Pedestrian Entrance Kiosk*. The proposed loop route will have no impact on the existing wildlife and habitats.

The proposed re-establishment of a loop trail will be a profound improvement on the historic landscape setting by making historic key views relievable for visitors again, especially southwards towards the house itself and the wider landscape setting. The proposal will allow to manage and alleviate the impact increasing visitor numbers have by walking through the demesne.

Mitigation Measures:

- Any physical evidence of historic pathways will be recorded, and appropriately covered to remain in situ.
- All substantial historic planting and tree population will be retained during these works being carried out.

b. Removal of Existing Surface

The proposed Woodland Walk loop consists of eight distinct sections comprising of four different surface finishes, including a) grass, b) top soil, c) hardcore and d) compacted gravel which require removal to a varying degree to allow for new path build-up. The works may include excavation on one or both sides of the paths to widen the path. It may also involve the removal of vegetational growth as part of the proposed works.

The proposed works will not have any physical impact on the historic landscape. The proposed removal of vegetation relates to self-seeding saplings, climbers and shrubbery.

Mitigation Measures:

- Root protection measure, i.e., hand excavation of existing ground, will be implemented.
- Root protection mats will be installed prior to installation of new surface finish.
- The vegetation removal is to be confined to plants making up the undergrowth.

All excavated top soil to be retained and graded along the edges of the path.

c. Installation of Land Drain

Areas along the proposed loop walk are currently poorly dehydrated, which leads to muddy and even boggy parts of the paths, especially within the Upper Wood area where top soil and tree roots are exposed and thus vulnerable. It is proposed to install land drainage under the path.

The proposed land-drain installation will not adversely impact the historic landscape, but will improve the surface water management. It will also improve accessibility of these sections and provide protection against further soil erosion.

Mitigation Measures:

- Root protection measure, i.e., hand excavation of existing ground, will be implemented.
- Root protection mats will be installed prior to installation of new surface finish.
- Proposed top level of path to be raised above surrounding top soil levels to minimise need for land drain.
- Creation of a 1:60 fall across the path.

d. Installation of Tree Root Protection

The proposed loop walk partly leads trough woodland and plantation with exposed tree roots, which can weaken the trees when walked on. The installation of root protection measures, i.e., the infill of geocell and provision of permeable separation geotextile, is proposed within these areas.

The proposed introduction of tree root protection will not adversely impact the historic landscape, but will improve protection of these trees.

Mitigation Measures:

- Top soil / existing surface within these locations will not be removed.
- Root protection measure, i.e., hand excavation of existing ground, will be implemented.
- Root protection mats will be installed prior to installation of new surface finish.

e. Installation of New Surface Finish

It is proposed to generally apply a self-binding gravel finish to match existing pathways to the Lake Walk.

The proposed new surface finish will inevitably have a visual impact on the historic landscape setting. The use of historically appropriate material will unify the pathway network of the entire demesne.

Mitigation Measures:

- Application of locally sourced granite quarry gravel and dust.
- Installation of hardcore sub-base where a built-up with a raised finished level is required, and/or where pot holes and runnels require fill.
- Installation of sacrificial timber edging where the raised surface needs to be contained.

f. Installation of Estate Railing

The replacement of the existing agricultural post-and-wire fencing with Estate Railing to historic design is a positive impact on the historic landscape setting.

Mitigation Measures:

- New Estate Railings to match design elsewhere in the demesne, e.g., along Lake Walk (south) etc.
- Restoration of existing Kissing Gates in accordance with Iron The repair of wrought and cast ironwork
 (2009) publication, and by a conservation experienced blacksmith.

4. CONCLUSION

Russborough House & Demesne, considered one of the best-preserved eighteenth-century buildings in Ireland, was originally designed by Richard Castle, when the northern part of the demesne consisted of various walks, woodland paths and formal tree planting around several terraced central lawn spaces ascending towards the north. This general arrangement of this part of the demesne containing formal plantations with timber trees, groves and woodland, and the central grassland with a canal and pond, has remained unchanged over the centuries. Over the time much, if not all, of the original pathways that were shown on the 1760 John Rocque map have been lost, and visitors have difficulties accessing this part of the estate. The proposed path re-establishment and improvement scheme as described above aims to reinstate a continuous woodland trail looping the north lawn and woodland areas.

The report identifies a number of impacts the proposed works will have on the historic landscape setting, and possible physical impact. To lessen these impacts, mitigation measures have been proposed with the client's intention to apply best conservation practice, to only use historically appropriate materials and routes.

In summary, the proposed works accord with established good conservation practice, and will not significantly or adversely impact on the landscape character and/or setting of the protected structure, subject to the adoption of the mitigation measures proposed herein.

APPENDIX

A PHOTOGRAPHIC RECORD

A.1 North Terrace (east end) - refer to Fig.11, Section 3, page 8

A.1.1



Overview

The Maze in the foreground and Russborough House in the background

Looking west

A.1.2



Close-up view

Parking surface in the foreground, Hippodrome to the left, and Russborough House in the background

Looking west

A.1.3



A.1.4



Overview

Surviving historic, now stalling, Beech tree in centre, north-east park with coniferous plantation in background

Looking east

Fence opening between public parking (right-hand side) and existing East Belt track (left-hand side) – to be maintained

Close-up view

Public parking area in background and East Belt track in foreground

Looking south

Existing track – to be maintained

A.2 East Belt - refer to Fig.11, Section 3, page 8

A.2.1



Overview

Beech plantation in foreground to the right, Back Lawn rugby pitch to the left, Upper Lawn terrace and Upper Wood in background

Looking north

Existing grass pathway – to be consolidated and upgraded

Existing post-and-wire fencing to be replaced

A.2.2



Close-up view

Beech plantation in foreground to the right, Back Lawn rugby pitch to the left, Upper Lawn terrace and Upper Wood in background

Looking north

Existing grass pathway – to be consolidated and upgraded

Existing post-and-wire fencing to be replaced

A.2.3



Close-up view

Entry into beech plantation

Looking north

Existing trodden trail – open soil to be consolidated and upgraded

A.2.4



Overview

Back Lawn with Rugby pitch in foreground, rear of Russborough House in background

Looking south

A.2.5



Close-up view

Beech plantation, with Back Lawn to the right

Looking south

Existing trodden trail – open soil to be consolidated and upgraded

A.2.6



Close-up view

Beech plantation, with Upper Lawn to the background

Looking west

Existing trodden trail – open soil to be consolidated and upgraded

A.2.7



Overview

Beech plantation to the left, with Upper Lawn terrace to the right and the Upper Wood in the background

Looking west

Existing grass pathway – to be consolidated and upgraded

Existing post-and-wire fencing to be replaced

A.2.8



Beech plantation to the right, with Upper Lawn terrace to the left and the Upper Wood in the background

Looking west

Existing grass pathway – to be consolidated and upgraded

Existing post-and-wire fencing to be replaced

A.2.9



Surviving historic Beech tree in foreground and the Upper Wood in the background

Looking north-west

Existing post-and-wire fencing to be replaced

A.2.10



Overview

Surviving historic Beech trees in centre, East Belt Beech plantation to the right, Upper Lawn in foreground and Russborough House in the background

Looking south

Existing post-and-wire fencing to be replaced

A.2.11



Stump of historic Beech tree to the right, Upper Lawn in centre and entry into Upper Wood in the background.

Looking north-west

Existing post-and-wire fencing to be replaced

A.3 Top Wood - refer to Fig.11, Section 3, page 8

A.3.1



Overview

Kissing Gate entrance into Top Wood in foreground, Upper Lawn with surviving historic Beech trees in centre and Russborough House in the background

Looking south

Existing trodden trail with open soil – to be consolidated and upgraded

Existing post-and-wire fencing to be replaced

A.3.1



Close-up view

Surviving historic wrought-iron Kissing Gate – to be restored A.3.2



Close-up view

Historic Beech timber tree plantation, Upper Lawn to the left

Looking west

Existing trodden trail with open soil – to be consolidated and upgraded.

Existing post-and-wire fencing to be replaced.

A.3.4



Close-up view

Surviving historic Beech trees as well as James Russel's ornamental tree plantings.

Looking north

Existing trodden trail with open soil – to be consolidated and upgraded.

Existing post-and-wire fencing to be replaced.

A.3.5



Overview

Surviving historic Beech trees as well as James Russel's ornamental tree plantings, with historic boundary wall and the Pedestrian Entrance Kiosk in the background.

Looking north.

Existing trodden trail with open top soil – open soil to be consolidated and upgraded.

A.3.6



Close-up view

Mid-20th century Pedestrian Entrance Kiosk beside the historic boundary wall.

A.3.7



Overview

Historic stone boundary wall to the right, surviving historic Beech trees as well as James Russel's ornamental tree plantings to the left.

Looking south-west.

Existing trodden trail with open top soil – to be consolidated and upgraded.

A.3.8



Overview

Historic stone boundary wall to the right, surviving historic Oak trees to the right, and plantation of young Oaks, Scots Pine and Beech ahead with Kissing Gate entry to Western Park in foreground.

Looking south-west.

Existing trodden trail with open top soil – to be consolidated and upgraded.

Existing historic gate and Estate Rails – to be restored.

A.3.9



Close-up view

Historic Kissing Gate and surviving sections of historic wrought-iron Estate Rails.

Looking south.

Existing trodden trail with open top soil – to be consolidated and upgraded.

Existing historic gate and Estate Rails – to be restored.

A.4 Western Park (north) - refer to Fig.11, Section 3, page 8

A.4.1



Overview

Historic stone boundary wall to the right and plantation of young Oaks, Scots Pine and Beech to the left.

Looking south-west.

Existing grass pathway – to be consolidated and upgraded.

A.4.2



Overview

Historic stone boundary wall to the left and plantation of young Oaks, Scots Pine and Beech to the right, with large surviving historic Beech tree in the foreground.

Looking north-east.

Existing grass pathway – to be consolidated and upgraded.

A.4.3



Overview

Historic stone boundary wall to the right and plantation of young Oaks, Scots Pine and Beech to the background, with large surviving historic Beech and Horse Chestnut trees in the foreground.

Looking south-west.

Existing trodden trail with open top soil – to be consolidated and upgraded.

A.4.4



Overview

Plantation of young Oaks, Scots Pine and Beech, historic stone boundary wall to the right.

Looking south-west.

Existing trodden trail with open top soil – to be consolidated and upgraded.

A.5 Western Park (south) - refer to Fig.11, Section 3, page 8

A.5.1



Overview

Linear planting of two double rows of Beech, with Upper Lawn grassland to the left.

Looking south-west.

Existing trodden trail with open top soil – to be consolidated and upgraded.

A.5.2



Overview

Fine large surviving historic Beech tree in foreground, with Back Lawn grassland in background.

Looking south-east.

Existing trodden trail with open top soil – to be consolidated and upgraded.

A.5.3



Overview

Fine large surviving historic Beech tree in foreground, with young Oak and Beech plantation and historic stone boundary wall in background.

Looking north-west.

Existing trodden trail with open top soil – to be consolidated and upgraded.

A.5.4



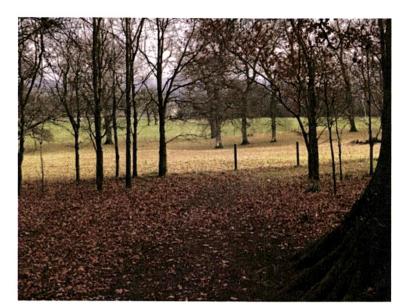
Overview

Linear planting of two double rows of Beech ahead, with Upper Lawn grassland to the right.

Looking north-east.

Existing trodden trail with open top soil – to be consolidated and upgraded.

A.5.5



Overview

Historic planting of Oak timber trees on Upper Lawn grassland in the background, with fine large surviving historic Beech tree in foreground to the right.

Looking south-east.

Existing trodden trail with open top soil – to be consolidated and upgraded.

Existing post-and-wire fencing to be replaced.

A.5.6



Overview

Historic planting of Oak timber trees on Upper Lawn grassland in the foreground, and Russborough House in the background.

Looking south-east.

Existing post-and-wire fencing to be replaced.

A.5.7



Overview

Upper Lawn grassland to the left, plantation of young Oak to the right, and Ferny Field and the animal pen in the background.

Looking south-west.

Existing trodden trail with open top soil – to be consolidated and upgraded.

A.5.8



Close-up view

Modern mild-steel animal pens and gates in the foreground, with Ballydallagh in the centre and plantation of Spruce in the background.

Looking south.

Existing trodden trail with open top soil – to be consolidated and upgraded.

Existing post-and-wire fencing to be replaced.

A.5.9



Overview

Crossover to Western Belt section with modern mild-steel animal pens and gates in the foreground.

Looking north.

Existing track – to be consolidated and upgraded.

A.6 Ferny Field (West Belt) - refer to Fig.11, Section 3, page 8

A.6.1



Overview

Historic planting of Beech timber trees on Ferny Field grassland in the foreground, and Russborough House in the background.

Looking south-east.

Existing track – to be consolidated and upgraded.

A.6.2



Overview

Stump of historic 18th-century
Oak stump on Ferny Field
grassland in the foreground, and
Back Lawn and Russborough
House in the background.

Looking south-east.

Existing post-and-wire fencing to be replaced.

A.6.3



Overview

Historic planting of Beech timber trees of the Western Belt to the right, and Ferny Field grassland to the left.

Looking south.

Existing track – to be consolidated and upgraded.

Existing post-and-wire fencing to be replaced.

A.6.4



Overview

Historic planting of Beech timber trees of the Western Belt to the right, and Ferny Field grassland to the left.

Looking south.

Existing track – to be consolidated and upgraded.

A.6.5



Overview

Historic planting of Beech timber trees of the Western Belt to the right, and Ferny Field grassland to the left.

Looking south.

Existing track – to be consolidated and upgraded.

Existing post-and-wire fencing to be replaced.

A.6.6



Overview

Southern boundary of Ferny Field to the left, 21st-century reed-bed to the right and Beech woodland in the background.

Looking east.

Existing trodden trail – to be consolidated and upgraded.

Existing post-and-wire fencing to be replaced.

A.7 Ferny Field (south end) - refer to Fig.11, Section 3, page 8

A.7.1



Overview

Southern boundary of Ferny Field to the left, 21st-century reed-bed to the right and Beech woodland in the background.

Looking east.

Existing trodden trail – to be consolidated and upgraded.

A.7.2



Overview

Southern boundary of Ferny Field to the left, 21st-century reed-bed to the right and Beech woodland in the background.

Looking east.

Existing trodden trail – to be consolidated and upgraded.

Existing post-and-wire fencing to be replaced.

A.7.3



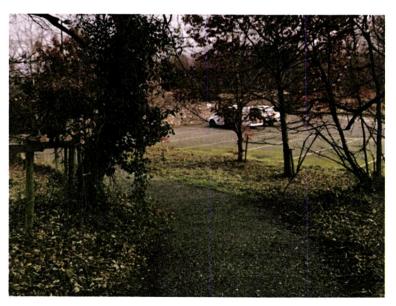
Close-up view

Outdoor adventure camp in Beech woodland to west end of north terrace, coach parking in background.

Looking south.

Existing track – to be maintained.

A.7.4



Close-up view

Beech woodland to west end of north terrace, coach parking in background.

Looking south.

Existing track – to be maintained.

A.7.5



Close-up view

Beech woodland to west end of north terrace, coach parking to the right and historic Bullock Yard in the background.

Looking east.

Existing track – to be maintained.

A.7.6



Close-up view

Coach parking with the historic stone wall of Bullock Yard to the left.

Looking south.

A.7.7



Close-up view

Beech woodland to west end of north terrace to the right, with Ballydallagh in the background.

Looking west.

Existing track – to be consolidated and upgraded.

A.7.8



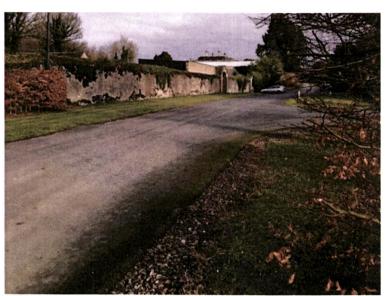
Overview

Coach parking in centre with north terrace Beech woodland in background.

Looking north.

Existing tarmacadam surface.

A.7.9



Overview

Historic east-west avenue with the Bullock Yard, the Haggard and the Forge Yard southern screen wall to the left, and the western approach avenue to the right.

Looking east.

Existing tarmacadam surface.

A.7.10



Overview

Historic east-west avenue with the Haggard southern screen wall in the background, and new Lake Walk loop rail in foreground.

Looking north-east.

A.8 North Terrace (west end) - refer to Fig.11, Section 3, page 8

A.8.1



Close-up view

Looking east.

Beech woodland to west end of north terrace, historic stone yard wall to coach parking to the right.

A.8.2



Close-up view

Sycamore woodland in foreground with Beech woodland in the background.

Looking north.

A.8.3



Overview

Sycamore woodland to the right and Beech woodland to the left, with the Milltown Tomb in the background.

Looking east.

A.8.4



Close-up view

Mixed woodland to the right and Beech woodland to the left, with the Milltown Tomb in the left centre.

Looking east.

A.8.5



Overview

Mixed woodland to the right and Beech woodland to the left, with Russborough House in the background.

Looking east.

A.8.6



Close-up view

Yew tree to the left, historic north screen wall and gate to the Stable Yard (west wing yard) in the centre, with the cupolaed gateways to the south screen wall in the background.

Looking south.

A.8.7



Overview

Yew tree to the centre, historic Stable Yard screen wall (west wing yard) to the right, with the Russborough House in the background.

Looking east.

A.8.8



Overview

Russborough House to the right, north terrace lawn to the right and the Maze and Hippodrome in the background.

Looking east.

A.8.9



Overview

The Beech Maze to the right and public visitor parking in the background.

Looking east.

A.8.10

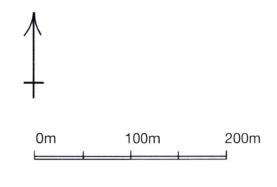


Overview

The public visitor parking to the right, with the entrance to the East Belt with the historic Beech tree in the centre, and the Beech planting East Belt in the background.

Looking north-east.





LEGEND

Track / path already established, minimal work required to use as pedestrian route

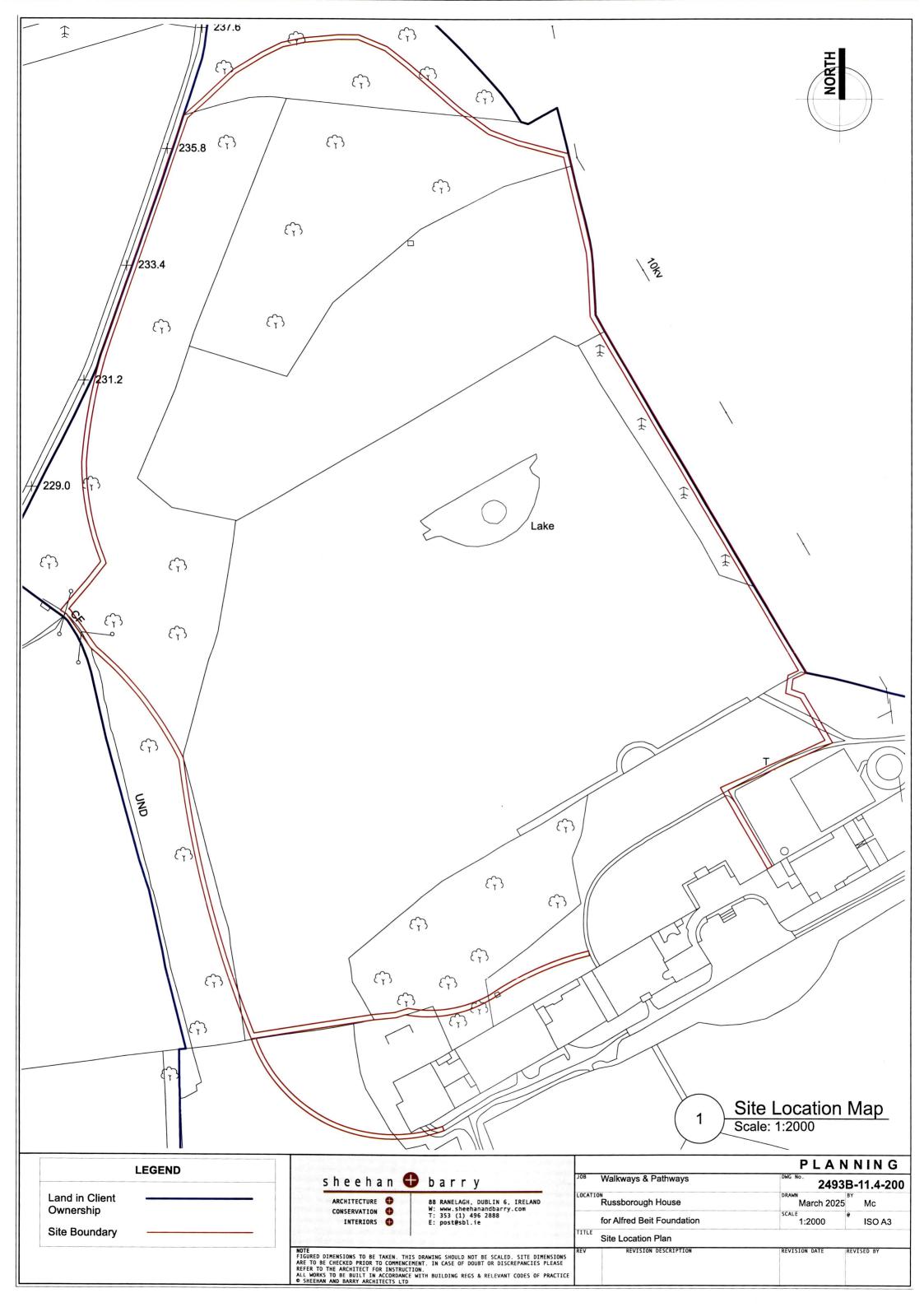
Path already in use and needs minor upgrade / remarking / defining

Route established, full new sub base and topping required and/or re levelling to less steep gradient

Route used by walkers but full works required to form path

New route to be established and full works required to form path

Drawing Stage:	DDEL IN AIN IA DV					Drawn By:	Checked By: A	pproved By:	Date:				7	Λ		han House, lount Street,
	PRELIMINARY					LE			20-12-2	2024			7	Δ	Dublin 2	2. D02 HT71
Project Details:						Project Name:	Russborough	Scale:	Project Num	nber:				T)1 661 1100 nfo@cora.ie
Site Address:	Russborough, Wicklow						Path network		1815 (DRIS					www.cora.ie	
Client:	Alfred Beit Foundation	P1	Issued for clarification of route	13-01-2025	LE	Drawing Title:	North loop	Project:	Originator:	Zone:	Level:	Type:	Discipline:	Drawing No.:	Stage:	
Architect:	Sheehan Barry	REV. No.	REVISION DESCRIPTION	DATE	ISSUED BY	Route summar	y + upgrade classifica	ation						Sk 101		P1





Comhairle Contae Chill Mhantáin Wicklow County Council

Pleanáil, Forbairt Eacnamaíochta agus Tuaithe Planning, Economic and Rural Development

Áras An Chontae / County Buildings Cill Mhantáin / Wicklow Guthán / Tel (0404) 20148 Faics / Fax (0404) 69462 Rphost / Email plandev@wicklowcoco.ie Suíomh / Website www wicklow ie

MEMORANDUM

WICKLOW COUNTY COUNCIL

TO: Dara Keane Assistant Planner FROM:

Nicola Fleming

Staff Officer

RE:- Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). EX47/2025

I enclose herewith application for Section 5 Declaration received completed on 16/04/2025 along with FI received on 23/05/2025.

The due date on this declaration is 12th June 2025

Staff Officer

Flanning, Economic & Rural Development







Comhairle Contae Chill Mhantáin Wicklow County Council

Pleanáil, Forbairt Eacnamaíochta agus Tuaithe Planning, Economic and Rural Development Áras An Chontae / County Buildings Cill Mhantáin / Wicklow Guthán / Tel. (0404) 20148 Faics / Fax. (0404) 69462 Rphost / Email. plandev@wicklowcoco ie Suíomh / Website. www.wicklow.ie

Sheehan & Barry Architects 88 Ranelagh Village Dublin 6 D06 T2W6

16th April 2025

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX47/2025 for Alfred Beit Foundation

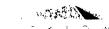
A Chara

I wish to acknowledge receipt on 16/04/2025 full details supplied by you in respect of the above Section 5 application along with the further information received on 23/05/2025. A decision is due in respect of this application by 12/06/2025.

Mise, le meas

Nicola Fleming

Planning, Economic & Rural Development







Sheehan & Barry Architects, 88 Ranelagh Village, Dublin 6, Ireland D06 Y2W6

t +353 (1) 496 2888

e post@sbl ie

w www.sheehanandbarry.ie

15th April 2024

Wicklow County Council, Planning Department, County Buildings, Whitegates, Wicklow Town, A67 FW96



Re: Russborough House, at Russborough Demesne, Blessington Co. Wicklow (RPS No. 09-08)

Application for Section 5 Declaration – EX47/2025

Dear Sir / Madam.

In respect of your letter, dated 12th May 2025, requesting further information please note our response as follows:

- Confirmation that the proposed width of the paths will not exceed 3m.
 We herewith confirm that the path widths are proposed at 2.2 metres, please refer to attached drawing 2493B_11.3_200 Path / Trail Detail / scale 1:20.
- 2. Full details regarding any site excavations required i.e. depths etc. as part of the trail works. Please refer to attached drawing 2493B_11.3_200 Path / Trail Detail / scale 1:20.
- 3. Confirmation that the replacement railings will not exceed 1.2 metres or the height of the structure being replaced, whichever is greater, and in any event that they will not exceed 2 metres.

We herewith confirm that the height of the proposed replacement railing will not exceed 1.2 metres.

Please do not hesitate to contact me if you would like to visit the church, or if there is any aspect of this application that you wish to discuss.

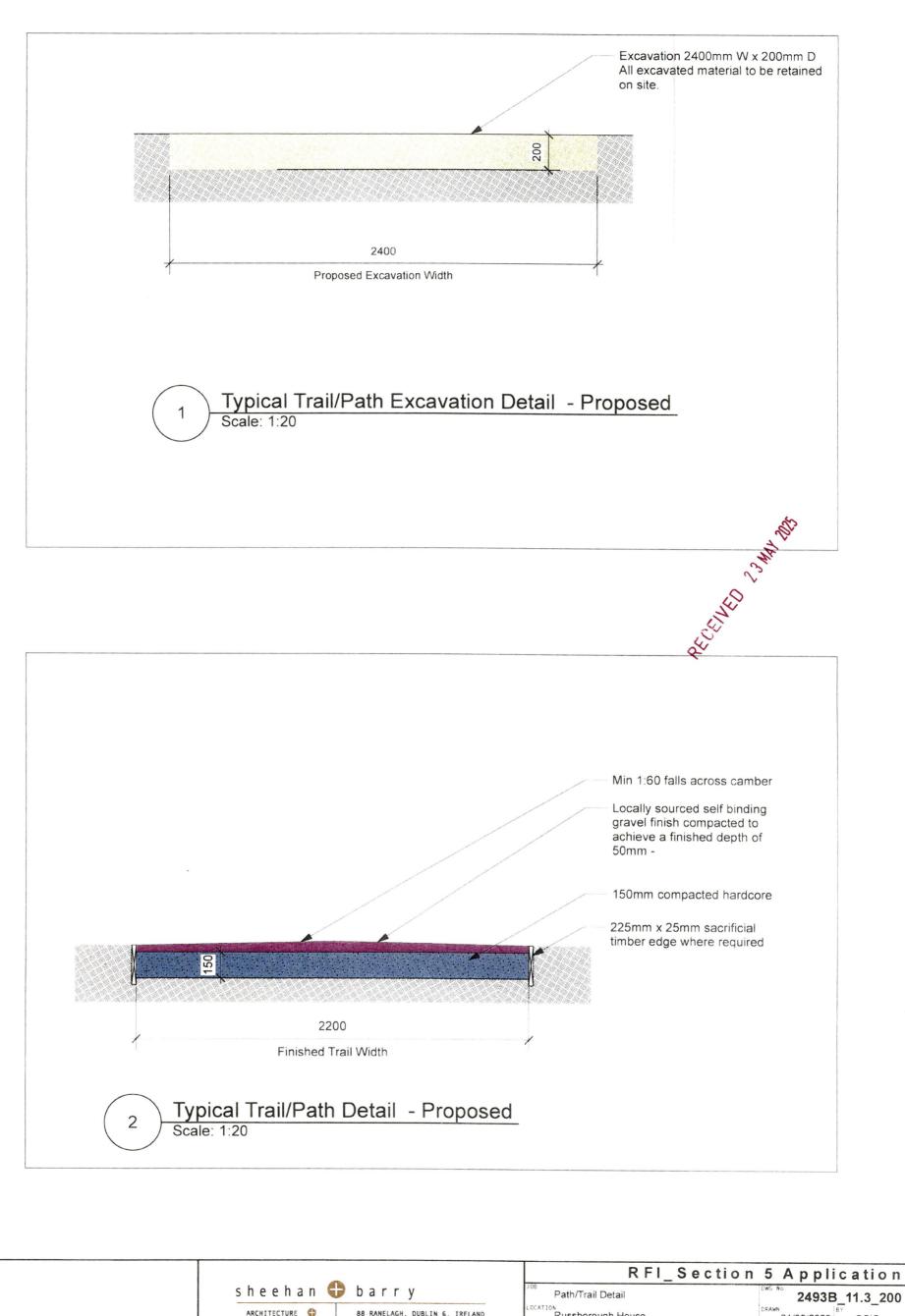
Yours sincerely,

Romy Kanitz

MRIAI, Grade 2 Conservation Architect

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Encl. 2493B_11.3_200 - Path / Trail Detail / scale 1:20 @ A3 (2copies)





Comhairle Contae Chill Mhantáin Wicklow County Council

Pleanáil, Forbairt Eacnamaíochta agus Tuaithe **Planning, Economic and Rural Development**

Áras An Chontae / County Buildings Cill Mhantáin / Wicklow Guthán / Tel (0404) 20148 Faics / Fax (0404) 69462 Rphost / Email plandev@wicklowcoco ie Suíomh / Website www wicklow.ie

Sheehan & Barry Architects 88 Ranelagh Village **Dublin 6 D06 T2W6**

12th May 2025

RE: Application for Certificate of Exemption under Section 5 of the Planning & Development Acts 2000 (as amended). - EX47/2025

A Chara

In respect of you query under Section 5 of the Planning and Development Act 2000 (as amended), received on 16th April 2025 having regard to Section 5 (2)(b) of the Planning and Development Act 2000 (as amended) you are requested to submit further details concerning the proposed trail consolidation and upgrade, re-establishment of undefined trail sections, renewal of all trail surfaces and the replacement of existing agricultural fencing with estate railings inclusive of:

- a) Confirmation that the proposed width of the paths will not exceed 3m.
- b) Full details regarding any site excavation required i.e. depths etc. as part of the trail works
- c) Confirmation that the replacement railings will not exceed 1.2 metres or the height of the structure being replaced, whichever is the greater, and in any event that they will not exceed 2 metres.

Mise, le meas

STAFF OFFICER,

PLANNING DEVELOPMENT AND ENVIRONMENT.









Comhairle Contae Chill Mhantáin Wicklow County Council

Pleanáil, Forbairt Eacnamaíochta agus Tuaithe Planning, Economic and Rural Development

Áras An Chontae / County Buildings Cill Mhantáin / Wicklow Guthán / Tel (0404) 20148 Faics / Fax. (0404) 69462 Rphost / Email. plandev@wicklowcoco ie Suíomh / Website www wicklow ie

MEMORANDUM

WICKLOW COUNTY COUNCIL

TO: Dara Keane FROM: Nicola Fleming Staff Officer

RE:- Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). EX47/2025

I enclose herewith application for Section 5 Declaration received completed on 16/04/2025.

The due date on this declaration is 13th May 2025

Staff Officer

Planning, Economic & Rural Development







Comhairle Contae Chill Mhantáin Uicklou County Council

Pleanáil, Forbairt Eacnamaíochta agus Tuaithe Planning, Economic and Rural Development

Áras An Chontae / County Buildings Cill Mhantáin / Wicklow Guthán / Tel (0404) 20148 Faics / Fax (0404) 69462 Rphost / Email: plandev@wicklowcoco.ie Suíomh / Website. www.wicklow ie

Sheehan & Barry Architects 88 Ranelagh Village Dublin 6 D06 T2W6

16th April 2025

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX47/2025 for Alfred Beit Foundation

A Chara

I wish to acknowledge receipt on 16/04/2025 full details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 16/05/2025.

Mise, le₁meas

Nicola Fleming

Staff Officer

Planning, Economic & Rural Development







Sheehan & Barry Architects, 88 Ranelagh Village, Dublin 6, Ireland. D06 Y2W6

t: +353 (1) 496 2888

WICKLOW COUNTY COUNCIL

16 APR 2025

PLANNING DEPT.

LOW COUNTY (1)

CUSTOMER \$5.3 % 25 16 APR 2025

Original Sighted

e: post@sbl.ie w: www.sheeha

_w: www.sheehanandbarry.ie

15th April 2024

Wicklow County Council, Planning Department, County Buildings, Whitegates, Wicklow Town, A67 FW96

Re:

Russborough House, at Russborough Demesne, Blessington Co. Wicklow

(RPS No. 09-08)

Application for Section 5 Declaration

Dear Sir / Madam,

I am the Conservation Architect retained by the Alfred Beit Foundation in relation to conservation works proposed at main entrance gates of Russborough House in Blessington, County Wicklow.

I enclose a completed Application Form for the Section 5 Declaration of Exempted Development together with the required supporting documents relating to the re-establishment and path improvement scheme proposed to the northern woodland walk of Russborough House Estate. The house is a protected structure (RPS re. 09-08).

The enclosed conservation assessment and methodology of the proposed works are in accordance with the Architectural Heritage Protection Guidelines, the relevant Department of Housing Local Government and Heritage Advice Series, and best conservation practice.

As some of the works listed in the enclosed report are urgent repair works in order to retain the buildings historic fabric, I would be most grateful if you could omit works from the declaration deemed to be non-exempt.

Please do not hesitate to contact me if you would like to visit the church, or if there is any aspect of this application that you wish to discuss.

Yours sincerely,

Romy Kanitz

MRIAI, Grade 2 Conservation Architect

ouis fight

Encl.

Section 5 Application Form

Fee cheque of €80

OSi Site Location Map

Conservation Assessment Sketch - Route summary & upgrade classification by CORA Consulting Engineers

Sheehan & Barry Architects Ltd., t/a Sheehan & Barry Architects.

Company Reg. No. 525849 VAT No. IE 3038449PH

Directors: David Sheehan FRIAI, Denis Looby FRIAI, David Averill FRIAI, Ros Criostóir MRIAI

Wick^l ✓ County **©**ouncil Cou 3uildings Wicklow 0404-20100

16/04/2025 11 41 21

Receipt No. L 1/0/343975

SHEEHAN & BARRY ARCHITECTS 88 RANELAGH VILLAGE DUBLIN 6 D06 Y2W6

VAT Exempt/Non vatable

Total 80 00 EUR

80.00

80.00

EXEMPTION CERTIFICATES

GOODS

Tendered Cheque

RPS RE 09-08

80.00

Change 0 00

Issued By Ruth Graham From Customer Service Hub Vat reg No 0015233H



Wicklow County Council County Buildings Wicklow Co Wicklow Telephone 0404 20148 Fax 0404 69462

Office Use Only

Date Received	l
Fee Received	

APPLICATION FORM FOR A DECLARATION IN ACCORDANCE WITH SECTION 5 OF THE PLANNING & DEVELOPMENT ACTS 2000(AS AMENDED) AS TO WHAT IS OR IS NOT DEVELOPMENT OR IS OR IS NOT EXEMPTED DEVELOPMENT

1. Applicant De	etail	S
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(a) Name of applicant:

Alfred Beit Foundation

Address of applicant:

Russborough House Blessington, Co. Wicklow WICKLOW COUNTY COUNCIL

1 6 APR 2025

PLANNING DEPT.

Note Phone number and email to be filled in on separate page.

2. Agents Details (Where Applicable)

(b) Name of Agent (where applicable)

Mr. David Averill, Director Sheehan & Barry Architects

Address of Agent:

88 Ranelagh Village, Dublin 6, D06 Y2W6

Note Phone number and email to be filled in on separate page.

3. Declaration Details

- Location of Development subject of Declaration
 Russborough House, Blessington, Russborough House
- ii. Are you the owner and/or occupier of these lands at the location under i. above? Yes/ No. YES

iii. If 'No' to ii above, please supply the Name and Address of the Owner, and or occupier N/A

Section 5 of the Planning and Development Act provides that: If any question arises as to what, in any particular case, is or is not development and is or is not exempted development, within the meaning of this act, any person may, an payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question. You should therefore set out the query for which you seek the Section 5 Declaration

The applicant, the Alfred Beit Foundation, wish to apply for a Declaration in accordance with Section 5 of the Planning and Development Act 2000 for:

The re-establishment and path improvement scheme for the existing northern Woodland Walk loop trail, works to include:

- a) Trail consolidation and upgrade, including re-establishment of undefined trail sections.
- b) Renewal of all trail surfaces.
- c) Re-instatement of historic park railing.

Please see attached Conservation Assessment in support for this submission for further detailed information

v. Indication of the Sections of the Planning and Development Act or Planning Regulations you consider relevant to the Declaration

The definition of 'works' in the Planning and Development Act 2000-2002 includes "construction, excavation, demolition, extension, alteration, repair or renewal and, ..., includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from surfaces of the interior or exterior of a structure."

The definition of 'protected structure' in the Planning and Development Act 2000-2002 includes "a) a structure, or b) a specified part of a structure, which is included in a record of protected structures, and, where that record so indicates, includes any specified feature which is within the attendant grounds of the structure and which would not otherwise be included in this definition;"

The definition of 'protection' in the Planning and Development Act 2000-2002 includes "conservation, preservation and improvement compatible with maintaining the character and interest of the structure or part'

The definition of 'structure' in the Planning and Development Act 2000-2002

includes "any ..., excavation, or other thing constructed or made on, in or under any land, ... and - (b) in relation to a protected structure ... - (ii) the land lying within the curtilage of the structure,'.

Under Section 57 of the 2000 Act, the works to be undertaken in this project will address the 'path improvement scheme' to re-establish a coherent and continuous trail looping around the northern part of the demsne.

Any or all of the proposed works listed above have the potential to materially and visually affect the character of the protected structure's curtilage and historic setting.

It is our opinion, that the works of:

- a. Trail consolidation and upgrade, incl. re-establishment of current undefined trail sections.
- b. Renewal of existing and/or non-existing trail surfaces.
- c. Re-instatement of historic park railing, incl. removal of existing postand-wire fencing.

can be considered as the maintenance and re-instatement of the historic design intend.

Please see attached Conservation Assessment in support for this submission

vi. Does the Declaration relate to a Protected Structure or is it within the curtilage of a Protected Structure (or proposed protected structure)?

Yes - RPS No.: 09-08

vii. List of Plans, Drawings submitted with this Declaration Application

Site Location Map

- scale 1:2,500 @ A3

Route Summary

- NTS @ A3

Conservation Assessment

viii. Fee of € 80 Attached ? Yes

Felly Kouls

Signed:

Dated: 15.04.2025

Romy-Kanitz, Senior Architect, Grade 2 Conservation, for and on behalf of Sheehan & Barry Architects

Additional Notes:

As a guide the minimum information requirements for the most common types of referrals under Section 5 are listed below:

- A. Extension to dwelling Class 1 Part 1 of Schedule 2
 - Site Location Map
- Floor area of structure in question whether proposed or existing.
- Floor area of all relevant structures e.g. previous extensions.
- Floor plans and elevations of relevant structures.
- Site Layout Plan showing distance to boundaries, rear garden area, adjoining dwellings/structures etc.

B. Land Reclamation -

The provisions of Article 8 of the Planning and Development Regulations 2001 (as amended) now applies to land reclamation, other than works to wetlands which are still governed by Schedule 2, Part 3, Class 11. Note in addition to confirmation of exemption status under the Planning and Development Act 2000(as amended) there is a certification process with respect to land reclamation works as set out under the European Communities (Environmental Impact Assessment) (Agriculture) Regulations 2011 S.I. 456 of 2011. You should therefore seek advice from the Department of Agriculture, Fisheries and Food.

Any Section 5 Declaration should include a location map delineating the location of and exact area of lands to be reclaimed, and an indication of the character of the land.

C. Farm Structures - Class 6 - Class 10 Part 3 of Schedule 2.

- Site layout plan showing location of structure and any adjoining farm structures and any dwellings within 100m of the farm structure.
- Gross floor area of the farm structure
- Floor plan and elevational details of Farm Structure and Full details of the gross floor area of the proposed structure.
- Details of gross floor area of structures of similar type within the same farmyard complex or within 100metres of that complex.