

Comhairle Contae Chill Mhantáin Wicklow County Council

Forbairt Pleanála agus Comhshaol
Planning Development and Environment

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

David O'Brien & Grainne Birdthistle
C/o Ronan Rose Roberts Architects
Morton's Lane
Wicklow
Co. Wicklow

19th April 2023

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

A Chara,

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

Exemption Ref No: EX 21/2023

Applicant: David O'Brien & Grainne Birdthistle

Nature of Application: (i) existing wall opened up for new door to master bedroom. New door to match original style of door,
(ii) existing modern door removed & door ope blocked up with plater finished timber frame stud partition,
(iii) existing en-suite wall removed

Location: Amber, Violet Hill, Herbert Road, Bray, Co. Wicklow

Where a Declaration is used under this Section any person issued with a Declaration under subsection (2) (a) may, on payment to An Bord Pleanála 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 DEVELOPMENT & ENVIRONMENT.**



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: David O'Brien & Grainne Birdthistle

Location: Amber, Violet Hill, Herbert Road, Bray, Co. Wicklow

DIRECTOR OF SERVICES ORDER NO 666/2023

A question has arisen as to whether "(i) existing wall opened up for new door to master bedroom. New door to match original style of door, (ii) existing modern door removed & door ope blocked up with plater finished timber frame stud partition, (iii) existing en-suite wall removed" at Amber, Violet Hill, Herbert Road, Bray, Co. Wicklow is or is not exempted development

Having regard to:

- i. The details submitted with the Section 5 application, as amended by the further information submitted on 12th April 2023
- ii. Sections 2, 3, & 4(1)(h) and 57(1) of the Planning and Development Act 2000 (as amended);
- iii. County Development Plan 2022-2028: Record of Protected Structures: B25 Violet Hill House

Main Reasons with respect to Section 5 Declaration:

- The works to be carried out would come within the definition of development as set out under Section 3 of the Planning and Development Act 2000 (as amended).
- Having regard to the Protected Status of Violet Hill House, the works that have been undertaken, and the conservation report and drawing details, it is considered that the works would be exempt development having regard to the provisions of Section 4(1)(h) of the Planning and Development Act 2000 (as amended) as the works only affect the interior of the structure, in addition the works would not materially affect the character of the structure or any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

The Planning Authority considers that "(i) existing wall opened up for new door to master bedroom. New door to match original style of door, (ii) existing modern door removed & door ope blocked up with plater finished timber frame stud partition, (iii) existing en-suite wall removed at Amber, Violet Hill, Herbert Road, Bray, Co. Wicklow "Is development and is exempted development.

Signed: 

**ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT**

Dated: 17th April 2023

WICKLOW COUNTY COUNCIL

PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5

Director of Services Order No: 666/2023

Reference Number: EX 21/2023

Name of Applicant: David O'Brien & Grainne Birdthistle

Nature of Application: Section 5 Referral as to whether "(i) existing wall opened up for new door to master bedroom. New door to match original style of door, (ii) existing modern door removed & door ope blocked up with plater finished timber frame stud partition, (iii) existing en-suite wall removed

Location of Subject Site: Amber, Violet Hill, Herbert Road, Bray, Co. Wicklow

Report from Edel Bermingham SEP

With respect to the query under Section 5 of the Planning & Development Act 2000 as to whether "(i) existing wall opened up for new door to master bedroom. New door to match original style of door, (ii) existing modern door removed & door ope blocked up with plater finished timber frame stud partition, (iii) existing en-suite wall removed at Amber, Violet Hill, Herbert Road, Bray, Co. Wicklow is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended)

Having regard to:

- i. The details submitted with the Section 5 application, as amended by the further information submitted on 12th April 2023
- ii. Sections 2, 3, & 4(1)(h) and 57(1) of the Planning and Development Act 2000 (as amended);
- iii. County Development Plan 2022-2028: Record of Protected Structures: B25 Violet Hill House

Main Reasons with respect to Section 5 Declaration:

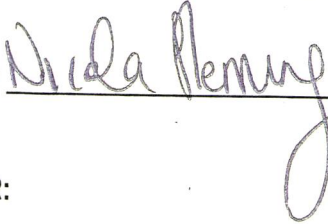
- The works to be carried out would come within the definition of development as set out under Section 3 of the Planning and Development Act 2000 (as amended).
- Having regard to the Protected Status of Violet Hill House, the works that have been undertaken, and the conservation report and drawing details, it is considered that the works would be exempt development having regard to the provisions of Section 4(1)(h) of the Planning and Development Act 2000 (as amended) as the works only affect the interior

of the structure, in addition the works would not materially affect the character of the structure or any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

Recommendation

The Planning Authority considers that "(i) existing wall opened up for new door to master bedroom. New door to match original style of door, (ii) existing modern door removed & door ope blocked up with plater finished timber frame stud partition, (iii) existing en-suite wall removed at Amber, Violet Hill, Herbert Road, Bray, Co. Wicklow is development and is exempted development as recommended in the planning reports.

Signed



Dated 14th day of April 2023

ORDER:

That a declaration to issue stating:

That "(i) existing wall opened up for new door to master bedroom. New door to match original style of door, (ii) existing modern door removed & door ope blocked up with plater finished timber frame stud partition, (iii) existing en-suite wall removed at Amber, Violet Hill, Herbert Road, Bray, Co. Wicklow " is development and is exempted development within the meaning of the Planning & Development Acts 2000 (as amended).

Signed:



Director of Services
Planning Development & Environment

Dated 17th day of April 2023

17th / 4 / 23

Section 5 Application EX 21/2023

Date : 14th April 2023.

See previous report dated the 6th April 2023, a request for the submission of further information issued on the 6th April 2023, and a response was received on the 12th April 2023.

Assessment :

The issued further information sought clarification on the actual Section 5 queries, and identified that

the submitted documents made references to minor alterations/ changes to approved internal layouts to PRR 17/544, and such changes to a permitted development are not queries that can be assessed as part of the Section 5 process, Section 5 declaration arises for cases where a question arises as to what in any particular case, is or is not development or is or is not exempted development within the meaning of this Act. Therefore, you should revise your query to reflect the above. Please address.

The agent has submitted revised drawings which align with the request and confirm that the following matters are the relevant queries i.e.

- i. Existing wall opened up for new door to master bedroom. New door to match original style of door
- ii. Existing modern door removed & door ope blocked up with plaster finished timber frame stud partition.
- iii. Existing en-suite wall removed

Having regard to the elements set out it is considered that these are all works, and would come within the definition of development as set out under Section 3 of the Planning and Development Act 2000(as amended). These works would come within the exemption provisions set under Section 4(1)(h) of the Act as they are works for improvement or other alteration of any structure, being works which affect only the interior of the structure. Furthermore it is considered such 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.

Accordingly the works are considered exempt development.

Recommendation :

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

- i. Existing wall opened up for new door to master bedroom. New door to match original style of door
- ii. Existing modern door removed & door ope blocked up with plaster finished timber frame stud partition.

- iii. Existing en-suite wall removed

at Amber, Violet Hill, Herbert Road, Bray, Co. Wicklow is or is not exempted development

The Planning Authority considers that:

- i. Existing wall opened up for new door to master bedroom. New door to match original style of door **is development and is exempted development**
- ii. Existing modern door removed & door opening blocked up with plaster finished timber frame stud partition **is development and is exempted development**
- iii. Existing en-suite wall removed **is development and is exempted development**

Main Considerations with respect to the S5 Declaration:

- i) The details submitted with the Section 5 Application, as amended by the further information submitted on the 12th April 2023.
- ii) Sections 2, 3, 4(1)(h) and 57 (1) of the Planning and Development Act 2000, as amended,
- iii) County Development Plan 2022-2028 : Record of Protected Structures : B25 Violet Hill House

Main Reasons with respect to the S5 Declaration

- The works to be carried out would come within the definition of development as set out under Section 3 of the Planning and Development Act 2000 (as amended).
- Having regard to the Protected Status of Violet Hill House, the works that have been undertaken, and the conservation report and drawing details, it is considered that the works would be exempt development having regard to the provisions of Section 4(1)(h) of the Planning and Development Act 2000 (as amended) as the works only affect the interior of the structure, in addition the works would not materially affect the character of the structure or any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

Ed Bennett
SEP
14/11/2023

Agnew
Dix
205
17/11/23



Comhairle Contae Chill Mhantáin Wicklow County Council

Forbairt Pleanála agus Comhshaol
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14/04/2023

David O'Brien & Grainne Birdthistle
C/O Ronan Rose-Roberts Architects
Morton's Lane
Wicklow
Co Wicklow

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). Ex 21/2023

Planning permission for internal changes to the property in 2017 PRR 17/544 some minor changes were made to the approved internal layouts. To establish whether the unauthorised internal changes are considered not to have materially affected the character of the protected structure at Amber, Violet Hill, Herbert Road, Bray, Co Wicklow

A Chara

I wish to acknowledge receipt on 12th April Further Information details supplied by you in respect of the above section 5 application. A decision is due in respect of this application by 02/05/23.

Mise, le meas

**SENIOR EXECUTIVE OFFICER
PLANNING DEVELOPMENT AND ENVIRONMENT**

RONAN
ROSE
ROBERTS
ARCHITECTS

Chief Planning Officer
Wicklow County Council
County Buildings,
Whitegates,
Wicklow Town,
Co. Wicklow

12th April 2023

Our ref: 2205

Re: EX21/2023 Section 5 Declaration application for works, at Amber, Violet Hill, Herbert Road, Bray A98TR66

Dear Sir/Madam,

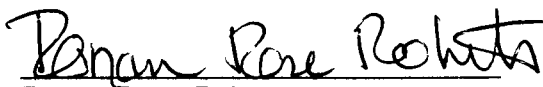
On behalf of the applicants, David O'Brien and Grainne Birdthistle, we hereby submit the enclosed further information as requested in your letter dated 06/04/2023.

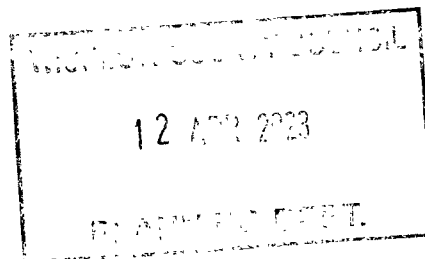
We enclose 1 copy of each of the following:

2205.3.PL.01: Site Identification Map 1:10560, & Site Location Plan (A1)
2205.3.PL.02: Floor Plans: existing and proposed (A1)
2205.3.PL.03: Elevations: existing and proposed (A1)

We look forward to your response at your earliest convenience.

Yours faithfully,


Ronan Rose-Roberts
Dip Arch Sc MRIAI





Comhairle Contae Chill Mhantáin Wicklow County Council

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06/04/2023

**David O'Brien & Grainne Birdthistle
c/o Ronan Rose Roberts Architect
Morton's Lane
Wicklow
Co. Wicklow**

RE: EX 21/2023

Planning permission for internal changes to the property in 2017 PRR 17/544 some minor changes were made to the approved internal layouts. To establish whether the unauthorised internal changes are considered not to have materially affected the character of the protected structure at Amber, Violet Hill, Herbert Road, Bray, Co Wicklow

A Chara

I wish to acknowledge receipt of your application for a declaration in respect of Section 5 for the above proposal on 16th March 2023.

The Following Further information is required to fully assess the application.

1. Having regard to the provisions of Section 5(1)(b) of the Planning and Development Act 2000(as amended) the following further information is requested –

The submitted Section 5 details are noted, and the various references to minor alterations/ changes to approved internal layouts to PRR 17/544. The changes to a permitted development are not queries that can be assessed as part of the Section 5 process , Section 5 declaration arises for cases where a question arises as to what in any particular case, is or is not development or is or is not exempted development within the meaning of this Act. Therefore, you should revise your query to reflect the above. Please address.

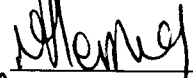
Please note that while the Planning Authority considers the stand alone elements could be reviewed under Section 5 as set out below, the alteration of spiral staircase/ mezzanine and other elements not constructed which are considered compliance matters would not come within the remit of Section 5, and therefore the following elements would appear to be the appropriate queries i.e.

- i. Existing wall opened up for new door to master bedroom. New door to match original style of door
- ii. Existing modern door removed & door opening blocked up with plaster finished



- timber frame stud partition.
- iii. Existing door opening with modern door blocked up with plaster finished timber frame stud partition.
 - iv. Existing en-suite wall removed.

Mine, le meas



NICOLA FLEMING

STAFF OFFICER

PLANNING DEVELOPMENT AND ENVIRONMENT

Section 5 Application EX 21/2023

Date : 6th April 2023

Applicant : David O'Brien & Grainne Birdthistle

Address : Amber, Violet Hill, Herbert Road, Bray, Co.Wicklow. .

Exemption Whether or not :

Minor changes to approved internal layouts of PRR 17/544 are considered not to have materially affected the character of the protected structure.

constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

Planning History :

17/544 – Permission granted for the refurbishment and reordering of interior features, involving their replacement with mezzanine floor and spiral staircase, reordering of attic to loft, their replacement with a mezzanine floor and spiral staircase, reordering of attic to loft, incorporation of breathable insulation to external walls of apartment, incorporation of panelling to walls of living room, replacement of kitchen units and fittings, removal of closet to kitchen and replacing door with niche, removal of 1970s screen to kitchen, and insertion of new screen to corridor to form new kitchen and dining area, incorporation of new enlarged family bathroom at location of existing show and boiler room, subdivision of boiler room with new door to new utility, removal of closet to corridor and its replacement with niche to new kitchen dining area, closing of door to existing bedroom 3 and the conversion of this room to utility, refurbishment of conversion of this room to utility, refurbishment of existing WC and existing ensuite bathroom, replacement of 1970s glazed doors. Refurbishment of all existing windows, the glazing of the existing dormer windows, the installation of an air / water heat pump in the garden, and all associated site works

21/988 (ABP311675-21) – Grainne Birdthistle and David O'Brien – refused – permission for 69m² extension to the north eastern end of a protected structure (RPS no. B25(Kilbride) Violet Hill) consisting of a single story pitched roof element offset from the existing building and a single story flat roof link. The proposed extension will provide three additional bedrooms along with a bathroom, ensuite and linking corridor. Works to existing building include: removal of existing double door on north east elevation, connection of new glazed link removal of paint on selected areas of brick and granite on external walls to restore to original condition. Along with associated site works.

22/1102 – David O'Brien and Grainne Birdthistle – New Application – permission for single storey extension to north-eastern end of a protected structure (RPS no. B25 Kilbride, Violet Hill) consisting of demolition of modern garden wall, removal of existing modern double door on

north-east elevation, construction of new single-storey, flat roof timber clad extension with partially glazed link to the existing house, and associated site works. Currently the subject of Further Information .

Section 5 Referral

EX 69/2022 Concluded that works consisting of two sheds located to the front of a protected structure at Amber, Violet Hill, Bray (RPS no. B25 Kilbride, Violet Hill) and a chicken coup to the side is development and IS NOT exempted development.

REASON -

The list involves the carrying out of 'works' as per the definition set out in the Planning and Development Act 2000 (as amended) and therefore is 'development'.

Planning and Development Regulations 2001 (as amended), Schedule 2, Part 1 'Development within the curtilage of a house' includes various classes to exempt development in the curtilage of a house. Class 3 relates to the construction, erection or placing within the curtilage of a house of any tent, awning, shade or other object, greenhouse, garage, store, shed or other similar structure'.

For the purpose of class 3, the definition of 'house' does not include a building used as 2 or more dwellings or a flat, an apartment or other dwelling within such building. The proposed development relates to 'Amber' which occupies part of the main Violet Hill property which is used for multiple dwelling units. Therefore class 3 cannot be relied on.

There is no other provision of the Act or Regulations under which the development would be 'exempted development'.

The development relates to a protected structure. The provisions of Section 57(1) would also apply.

Heritage:

Violet Hill is protected structure B25

Violet Hill House is listed on the NIAH as being of regional importance.

Trees at Violet Hill are protected by Tree Preservation Order no.2 (Schedule 10.08 Existing Tree Preservation Orders, Bray MD LAP)

Report :

Heritage Officer : Report Awaited.

Relevant legislation :

Planning and Development Act 2000 (as amended)

"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)*;

"works" 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.

Section 3 :

3.—(1) 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 :

4.— (1) The following shall be exempted developments for the purposes of this Act—

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

S57. (1) Notwithstanding *section 4(1)(a), (h), (i), (ia), (j), (k), or (l)* 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.

Assessment

The Section 5 application seeks a declaration as to whether the following is or is not development or is or is not exempted development with respect to the following query i.e. : Minor changes to approved internal layouts of PRR 17/544.

The works undertaken are as following i.e.

- i. Existing wall opened up for new door to master bedroom. New door to match original style of door
- ii. Existing modern door removed & door ope blocked up with plaster finished timber frame stud partition.
- iii. Permitted new partition and door not built
- iv. Existing wall permitted to be demolished left in place and existing door ope with modern door blocked up with plaster finished timber frame stud partition. Existing en-suite wall removed.
- iii. Existing visitor toilet unchanged.
- v. Spiral Stairs as built- minor modification to PL ref 17/544. (incorrectly shown as a dog-leg stairs in PL ref: 22/1102)

The identified elements are works and would come within the definition of development. The query relates to works not done in compliance with PRR 17/544, however the Section 5 declaration to what, in any particular case, is or is not development or is or is not exempted development within the meaning of this Act. The purpose of a Section 5 is not to regulate divergence from a permission, such works could be considered substantially compliant. Some of the works would appear to be element which clearly do not impact on the character of the structure being internal works or on any any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical Interest, having regard to the Conservation report submitted. However, it would not appear that the insertion of a spiral staircase and mezzanine are works that would have required permission, and did get it, although now it appears to have been amended to a minor degree.

Further information should issue to clarify the matter, and the extent of the Section 5 request.

Recommendation :

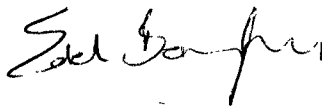
Further Information :

1. Having regard to the provisions of Section 5(1)(b) of the Planning and Development Act 2000(as amended) the following further information is requested –

The submitted Section 5 details are noted, and the various references to minor alterations/ changes to approved internal layouts to PRR 17/544. The changes to a permitted development are not queries that can be assessed as part of the Section 5 process, Section 5 declaration arises for cases where a question arises as to what in any particular case, is or is not development or is or is not exempted development within the meaning of this Act. Therefore, you should revise your query to reflect the above. Please address.

Please note that while the Planning Authority considers the stand alone elements could be reviewed under Section 5 as set out below, the alteration of spiral staircase/ mezzanine and other elements not constructed which are considered compliance matters would not come within the remit of Section 5, and therefore the following elements would appear to be the appropriate queries i.e.

- i. Existing wall opened up for new door to master bedroom. New door to match original style of door
- ii. Existing modern door removed & door opening blocked up with plaster finished timber frame stud partition.
- iii. Existing door opening with modern door blocked up with plaster finished timber frame stud partition.
- iv. Existing en-suite wall removed.


SEP
6/4/2023

MEMORANDUM

WICKLOW COUNTY COUNCIL

TO: Edel Bermingham
Senior Executive Planner

FROM: Crystal White
Assistant Staff Officer

RE:- EX 21/2023 - Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (as amended)
Planning permission for internal changes to the property in 2017 PRR 17/544 some minor changes were made to the approved internal layouts. To establish whether the unauthorised internal changes are considered not to have materially affected the character of the protected structure at Amber, Violet Hill, Herbert Road, Bray, Co Wicklow

I enclose herewith for your attention application for Section 5 Declaration received 16th of March 2023.

The due date on this declaration is the 12th of April 2023.



Senior Staff Officer
Planning Development & Environment



Comhairle Contae Chill Mhantáin Wicklow County Council

**Forbairt Pleanála agus Comhshaol
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14/03/2023

**David O'Brien & Grainne Birdthistle
C/O Ronan Rose-Roberts Architects
Morton's Lane
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RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). Ex 21/2023
Planning permission for internal changes to the property in 2017 PRR 17/544 some minor changes were made to the approved internal layouts. To establish whether the unauthorised internal changes are considered not to have materially affected the character of the protected structure at Amber, Violet Hill, Herbert Road, Bray, Co Wicklow

A Chara

I wish to acknowledge receipt on the 16th of March 2023 details supplied by you in respect of the above section 5 application. A decision is due in respect of this application by 12/04/2023.

Mise, le meas

**SENIOR EXECUTIVE OFFICER
PLANNING DEVELOPMENT AND ENVIRONMENT**



Wicklow County Council
County Buildings
Wicklow
0404 20100

16/03/2023 12:33:04

Receipt No L1/0/310416

Ronan Rose Roberts Architects
Mortons Lane
Wicklow Town
Co Wicklow

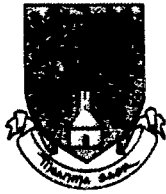
EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total	80.00 EUR
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Tendered	
Credit Card	80.00

Change	0.00
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Issued By Lorraine Byrne
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Wicklow County Council
County Buildings
Wicklow
Co Wicklow
Telephone 0404 20148
Fax 0404 69462

Office Use Only

Date Received _____

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 Details

(a) Name of applicant: David O'Brien & Grainne Birdthistle _____

Address of applicant _____

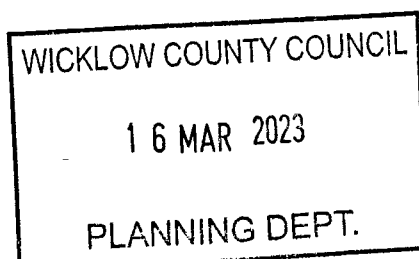
Note Phone number and email to be filled in on separate page.

2. Agents Details (Where Applicable)

(b) Name of Agent (where applicable) Ronan Rose-Roberts MRIAI

Address of Agent : Ronan Rose Roberts Architects, Morton's lane, Wicklow, Co
Wicklow

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



3. Declaration Details

i. Location of Development subject of Declaration _____
Amber, Violet Hill, Herbert Road, Bray Co Wicklow

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 _____

iv. 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, on 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

Planning permission for internal changes to the property was granted in 2017 Pl ref: 17/544. During the construction some minor changes were made to the approved internal layouts. The reason for this section 5 declaration application is to establish whether the unauthorised internal changes, highlighted in the attached drawings, are considered not to have materially affected the character of the protected structure are exempt from planning permission. _____

Additional details may be submitted by way of separate submission.

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

Additional details may be submitted by way of separate 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

vii. List of Plans, Drawings submitted with this Declaration Application _____
2205.3.PL01, 2205.3.PL02, 2205.3.PL03,

viii. Fee of € 80 Attached ? yes.

Signed :  Dated : 15/03/2023

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.

A map of the study area showing the locations of the 10 bite sites. The map includes a street grid, a large central area labeled 'BITE SITE LOCATIONS', and a legend indicating 'BITE SITE LOCATIONS'.

N



SCHEDULE OF AREAS	
SITE AREA OUTLINED IN RED	0.1196 ha
EXISTING GROSS FLOOR AREA	195.9 m ²
DEMOLITIONS FLOOR AREA	0.0 m ²
AREA OF DEMOLISHED SHEDS	15.6 m ²
PROPOSED FLOOR AREA	0.0 m ²
PROPOSED GROSS FLOOR AREA	195.6 m ²
AREA OF NEW SHEDS	22.5 m ²

LEGEND

	EXISTING STRUCTURES		SITE BOUNDARY
	DEMOLISHED STRUCTURES		SURFACE WATER DRAINAGE
	STRUCTURES TO BE RETAINED		FOUL WATER DRAINAGE



PROJECT CONSULTANTS:		REV.	DATE	DESCRIPTION	AUTHOR		
ENGINEER	A	2023.02.03	ISSUED FOR CLIENT'S APPROVAL		Andrei Mironov (rev. Andreev), Andrei H., (4684-3462) andrew.stevak.dallas@tycoelectrics.com, dallas.121473796@gmail.com, andrewmironov@tyco.com or www.tycoelectronics.com		
ELECTRICAL ENGINEER	B	2023.03.06	ISSUED FOR SECTION 5 DECLARATION				
QUANTITY SURVEYOR					PROJECT: Retention of changes to House at Amber Valley HB	CLIENT: O'Brien Institute	
LANDSCAPE DESIGN					JOB NO.: 2205	DATE: 15/03/2023	
ASSIGNED LEADERSHIP					Rev. B SITE LAYOUT PLAN AND LOCATION MAPS		DRAWN: 3. SCHEME DESIGN/WPL
FOP					SCALE: PER NOTES @ A=1:D		CHECKED: 2205.S.PL_01

CHANGES AS GRANTED PER PERMISSION REF.17544

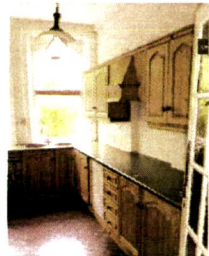
AS BUILT LAYOUTS



ORIGINAL ENTRANCE HALL



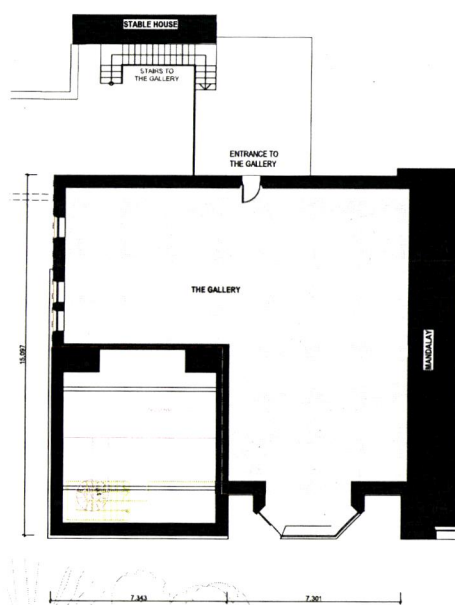
ORIGINAL LIVING ROOM



ORIGINAL KITCHEN



ORIGINAL DINING AREA



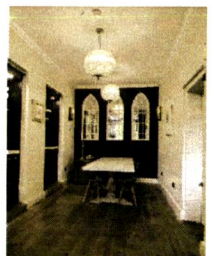
GRANTED PL REF 17544 FIRST FLOOR PLAN 1:100



A - NEW DOOR FROM ENTRANCE HALL TO MASTER BEDROOM



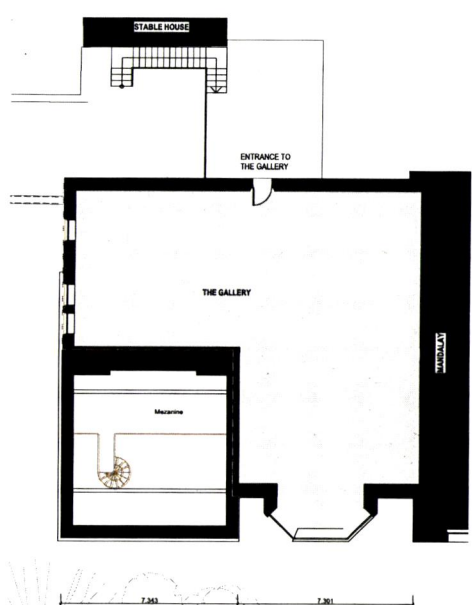
E - NEW SPIRAL STAIRS



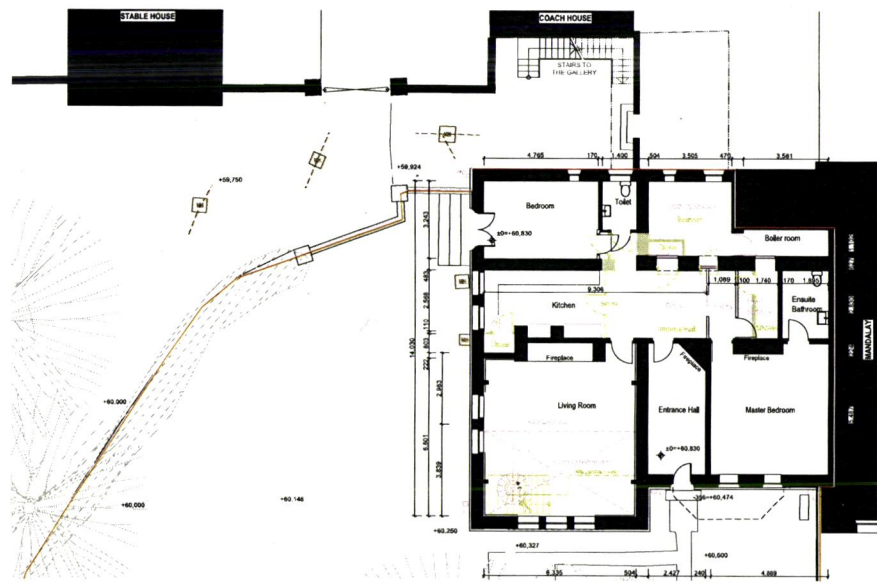
B.C - DINING AREA



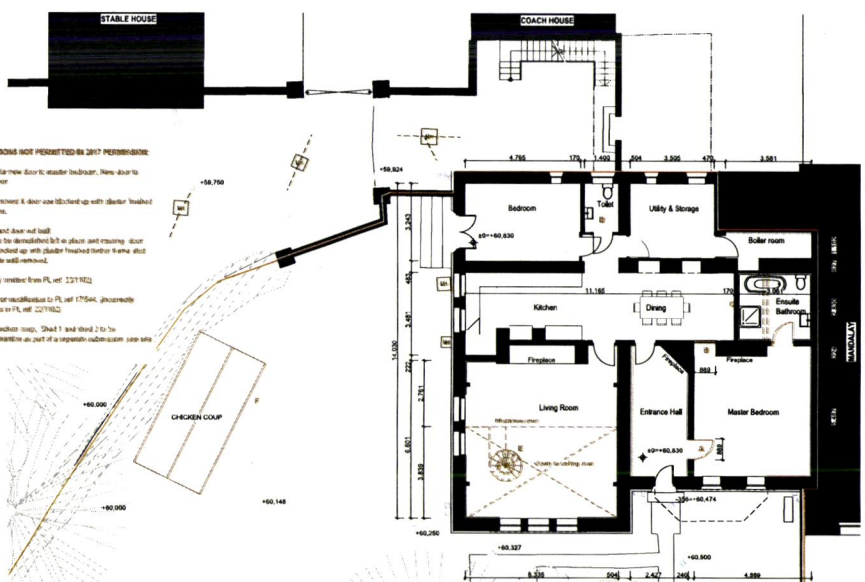
D - LOBBY BETWEEN BEDROOM, TOILET AND UTILITY



AS BUILT FIRST FLOOR PLAN 1:100



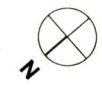
GRANTED PL REF 17544 GROUND FLOOR PLAN 1:200



AS BUILT GROUND FLOOR PLAN 1:100

- SCHEDULE OF ALTERATIONS NOT PERMITTED BY 2017 PERMISSION:
- A. Existing wall opened up for new door to master bedroom. New door to match original style of door.
 - B. Existing modern door removed & door case blocked up with timber finished plaster frame and partition.
 - C. Proposed new partition and door not built. Existing wall permitted to be demolished but in place and existing door kept with modern door blocked up with timber finished plaster frame and partition. Existing in-situ wall removed.
 - D. Existing timber (decorative) window from PL ref. 1211612.
 - E. Spiral Stairs as built minor modification to PL ref. 17544, generally shown as in flying stairs ref. 1211612.
 - F. Metal frame and mesh chicken coup. Sheet 1 and sheet 2 to be submitted for planning consent as part of a separate submission (see site layout plan for location).

- LEGEND
- EXISTING STRUCTURES
 - DEMOLITIONS GRANTED PER PERMISSION REF.NO.17544
 - NEW STRUCTURES GRANTED PER PERMISSION REF.NO.17544
 - AS BUILT CHANGES



PROJECT CONSULTANTS	REV.	DATE	DESCRIPTION
ENGINEER	A	2023.02.03	ISSUED FOR CLIENT'S APPROVAL
MAE ENGINEER	B	2023.03.08	ISSUED FOR SECTION 5 DECLARATION
QUANTITY SURVEYOR			
LIVINGS/CLIMAT			
ASSIGNED CERTIFIER			
PIOP			

PROJECT: Retention of changes to House at Amber Veld Hill	CLIENT: O'Brien Developments
JOB NO: 2205	DATE: 06/03/2023
DRAWING: Rev. B FLOOR PLANS	STAGE: 3. SCHEME DESIGN/PL
SCALE: PER NOTES & INV.D.	DRAWING NO: 2205.3.PL.02
NOT TO SCALE FROM DRAWING. CHECK DIMENSIONS ON-SITE. COPYRIGHT RESERVED.	

RETENTION
RONAN
ROSE
ROBERTS
ARCHITECTS

Conservation report

Section 5 Planning Application

Amber, Violet Hill, Bray, Co. Wicklow

9.3.2023



Contents.

1	Introduction.
1.1	Record of Protected Structures.
2	Building Description & Historical Notes.
2.1	Historical Background.
3	Building Description and Condition.
4	Impact on protected structure.
5	Conclusion.
6	Bibliography and sources
7	Appendices.

1 Introduction

This Conservation Report & Impact Assessment Report has been prepared for the Section 5 Planning Application for internal works carried out at Amber, Violet Hill, Herbert Road, Bray Co. Wicklow, a Protected Structure; for David O'Brien & Gráinne Birdthistle.

1.1 Record of Protected Structures:

National Inventory of Architectural Heritage.

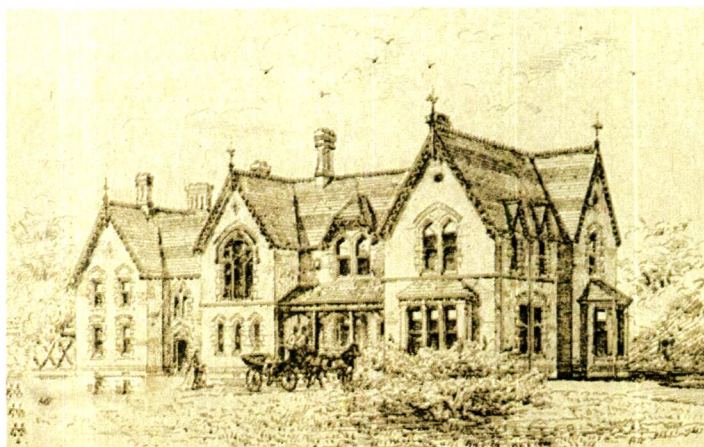


Fig. 2. Violet Hill (From NIAH). And illustration from The Dublin Builder 1866

The building has lost the front door porch depicted on the illustration, gained an oriel window on the half landing, and been extended further to the north with projecting bays, including that portion that is now 'Amber' Apartment. The gables have lost their pinnacles.

Violet Hill House, Herbert Road, Bray, County Wicklow

Reg. No.	16400702
Date	1860 - 1865
Previous Name	N/A
Townland	KILBRIDE (RA. BY.) County County Wicklow coordinates 324725, 216915
Categories of Special Interest	ARCHITECTURAL SOCIAL

Rating	Regional
Original Use	Country house
In Use As	Apartment/flat (converted)

Description

Detached multiple-bay two-storey former country house, built 1862, now divided into 2 house and 2 apartments. It is to designs by William Fogerty. To the west side is a former stable block which is now converted into apartments. The building is constructed in brick with stone block and start dressings all of which is now painted. There are a number of two-storey projecting gabled bays which in turn are faced with a mixture of single and two-storey square and canted bays. The panelled door has a plain fanlight and is set within a pointed arched opening. Window openings are a mixture of flat and pointed arched, and generally have one over one timber sash frames. The pitched roof is finished with natural slate arranged in bands and has cast-iron rainwater goods; overhanging eaves have decorative bargeboards. Chimneystacks are brick with boldly corbelled caps and clay pots. The building is set within a large mature garden.

Appraisal

A medium sized country house, in mildly Tudor style, which is in substantially original condition. Although somewhat spoiled with the painting of the brickwork and the sub-division into 2 house and 2 apartments, this is still an important asset to the architectural heritage of the area.

Record of Protected Structures.

Violet Hill is contained in the Bray Town Development Plan 2011 -2017 Written Statement (Table 8.3) as;

25. Herbert Road (Kilbride) Violet Hill. Structure. (Page 85).

2. Building Description & Historical Notes.

2.1. Historical Background.

The coming of the railways to Bray meant tremendous change for the urban fabric of the town. Previously a manor of the Anglo-Norman De Riddlesfort family, the town became the possession of the Brabazon family of Kilruddery from 1619 and functioned as their market town. Initially Barons Ardee; the Brabazons were created earls of Meath in 1627. The opening the Bray Station of the Dublin & Wicklow Railway in 1854 would see a doubling of the population of Bray between 1850 and 1870.

Much of the population growth was due to the town being developed as a holiday resort and health spa, described as 'an Irish Brighton'. Many hotels, health spas, and a Turkish Baths were developed by, amongst others, William Dargan the railway entrepreneur, and the local Brennan family.



Fig. 3. Bray Turkish Baths from a 19th Century photo.

The existence of popular resorts along the River Dargle, such as Enniskerry and Bray, led to the name

'Dargle' becoming synonymous with 'resort' in Dublin vernacular slang (i.e. The 'Waxie's Dargle; a working class picnic area between Ringsend and Irishtown).

Heffernan's Illustrated Plan of Bray of c. 1870 shows a prosperous town. Many of the large country houses date from the mid nineteenth century; earlier than the preparation of the map: Kilruddery; the seventeenth century house of the earls of Meath (with an eighteenth century south wing) was rebuilt and extended between 1820 to 1830 in a 'Tudorbethan' idiom by Richard & William Vitruvius

Morrison. This set the standard for the other houses of the gentry in the neighbourhood.

Dr. Andrew Tierney, author of the forthcoming 'Buildings of Ireland' series volume on the buildings of South Leinster, noted that the local aristocracy often set the fashion for building in the local area. Subsequent large houses would be built or rebuilt in a Tudor Gothic Style in and around Bray, such as Hollybrook, Corke Abbey, Wingfield, Ravenswell, Killarney Hill, Fairy Hill, Old Conna House (1860), and Violet Hill. All either date from this time or follow this fashion.

The building of Violet Hill however was undertaken in two stages. The original building was built in 1836 for a Mr. Hartshorn as a private boarding school. This may be represented by the garden front portion of the current house. For a short period prior to 1863 Judge William N. Keogh lived at Violet Hill.

In 1863 it was sold to Mr Edward Lysaght Griffith, son of the (church of Ireland) Bishop of Limerick. Edward Lysaght Griffith was a leading barrister and registrar of friendly societies of Ireland. He commissioned architect William Fogerty, an architect whose practice was mainly based in Limerick to rebuild and extend the house. The description in 'The Irish Builder' of March 1 1869 that accompanies the illustration (on the cover page of this report) states;

"The subject of our illustration in this No. is a mansion recently erected for Edward L. Griffin, Esq., from the designs of Mr. William Fogerty, architect. The accommodation is as follows:- hall, 24ft. by 16ft., separated from principal stairs by a screen of marble columns; library 24ft. by 17ft.; drawing- room 24ft. by 18ft.; dining-room 24ft. by 17ft.; breakfast-room 18ft. by 14ft. There are extensive and complete kitchen offices and twelve bedrooms, with bathrooms, cloak-room, w.c.'s, and lavatory. The cost including garden wall, has been about £5,000 and the projected stables offices will cost about £1,200. Mr. George Moyers is the builder, who has carried out the work in a most creditable manner under the direction of the architect. The material is red brick with dressings of granite and Bath stone. All the interior woodwork is stained and varnished. The site commands delightful views of the Sugar Loaf and other well-known mountains. Altogether the building presents a very favorable specimen of an "Irish Gentleman's House".

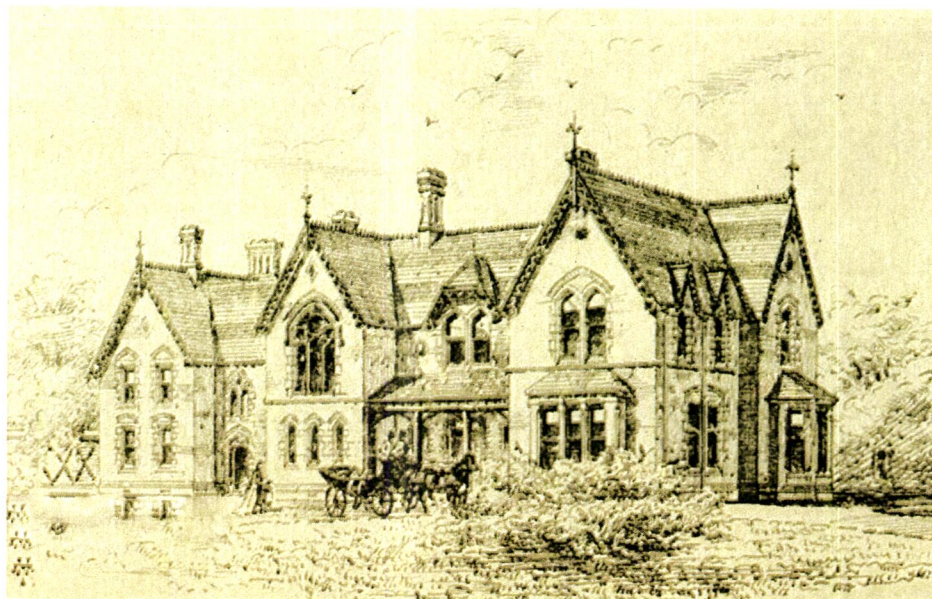


Fig 4: (The Dublin (Irish) Builder; number 8, 15 Aug 1866, 209; Irish Builder 10, 1 April 15 Aug 1868, 89,197; 11, 1 March 1869, 53,57 featuring the illustration.

The design was exhibited in the Royal Hibernian Academy in 1868. The design would appear to have added a pile to the existing building which now comprises the entrance front, added a wing perpendicularly to the northwest to this new block, and a corresponding bay to the southeast to balance the façade. This was extended by domestic quarters (a staff wing) beyond to the northwest, and terminated with what Jeremy Williams describes as a 'Billiard room pavilion to the garden front.'¹ The most gothic element of the design is a large window to the stairs of the half landing. This was replaced in the executed design with an oriel window. Although the executed design is larger and more extensive than that shown on the illustration, the work appears contemporary.

J.A.K Dean in 'The Gate Lodges of Leinster, a Gazetteer. (Dublin 2016). P.418 #209 describes the north lodge as having been designed by Fogerty as an appropriate entrance to the house incorporating many of the features found in the main house; such as the oriel window, gable, and entrance porch, and dating to 1869. He claims the south lodge is earlier and dates to the Williamson house. This lodge is marked on the First Edition O.S. As the house was built for Hartshorn; Dean may be referencing 'Williamson' as the architect of the original building. If so, this is likely to be Arthur Williamson, who was active in Dublin until his death in 1846, and whose most noteworthy works are 'The Argory' in Co. Armagh, the porticos to

¹ Williams, Jeremy 'A Companion Guide to Architecture in Ireland 1837-1921'. (Dublin 1994). P. 391. Jeremy William's book, while informative and tremendously entertaining, is not always completely reliable in all of its details.

Emo Court, Co. Laois, Albany House, Monkstown Co. Dublin, and Leinster Terrace, Rathmines, Dublin. Both gate lodges were marked as occupied in 2016, and are now separated from the property.

Fogerty was an architect whose main practice was in Limerick City & County. His other notable country houses include Ballykilty in Quin, Westbrook House, Broadford Shooting Lodge, Moyriesk House, and Ballyline House, all in Co. Clare, Waterpark in Castleconnell, Co. Limerick, Priory Lodge in Blackrock, and numbers 7 & 8 Appian Way, Dublin. His churches include Athea R.C Church, Co. Limerick, Holy Trinity R.C. Church, Catherine Street Limerick, Trinity Presbyterian Church, MacCurtain Street Cork, Bethel Church, Port Road, Dun Laoghaire, Wicklow Methodist Church, and the United Presbyterian Church, on Lower Abbey Street Dublin. He was also responsible for Adare Court House, designed in a similar unassuming 'collegiate' Tudor Gothic as Violet Hill. Jeremy Williams has described Violet Hill as Fogerty's 'most substantial Gothic Revival house'.

Edward Lysaght Griffith, later a Justice of the Peace, was married to Beatrice Cruddock. Their son Edward was a writer in the United States. Griffin died at Violet Hill on 1 April 1884.²

The house was later sold to Wellington Darley, a director of the Bank of Ireland. The Darley family are more remembered in connection with Violet Hill than its builder Edward Lysaght Griffin. This may be on account of their connections with the locality, and ownership of the property until recently. Darley was involved in a variety of philanthropic causes, including being a member of the board of the Meath Hospital, and animal welfare. It may be Darley who was responsible for extending the house further than that illustrated, or, as mentioned, this may have occurred during the extension of the design for the original house. He donated the Connacher organ to Kilbride Church of Ireland nearby in 1889.

The 1901 Census records 'Willington Darley' (sic), Banker & Brewer aged 63 in residence, along with his wife Anna Frances aged 57, Edward Black, aged 43, Butler, Ellen O'Connell, 33, Ladies maid, Esther McGivern, 29 housemaid, Lizzie McCormack 23, housemaid, Julia Meagher 23, housemaid, Bridget Muirhead, 38, the cook, and Maggie Byrne, 22, the kitchen maid. Only Bridget Muirhead was married.

By 1911, Wellington Darley described himself as a 'Bank Director, farmer, and Justice of the Peace'. He was resident with his daughter Helen Mary, aged 39 and her husband of 6 years, Chaworth Nolan, a retired Royal Navy Fleet Surgeon. Willington is described as 42 years old. Anna Frances was not in Ireland on Sunday night the 2nd of April. They were resident with 5 servants; Richard Evans, the

² www.willcalen.lars.nationalarchives.ie/reels/LWA/00501489900164.pdf

Butler, aged 35, Margaret Lawson, the cook, aged 38, Kate King, 26 years old kitchen maid, Sarah McCaldin aged 51 housemaid, and Ellen Buckley, aged 25 housemaid. All the servants were single.

Wellington and Anna Frances Darley tragically lost two sons and a daughter from their 5 children in World War I. Eldest son Commander Arthur Tudor Darley, born 1876 was killed in action aged 38 off the coast of Chile on board H.M.S. Good Hope on 1st November 1914, leaving a widow, son, and daughter. Daughter Stella Cecil Darley, a nurse, was killed in 1917. Son John Evelyn Carmichael, Lieutenant Colonel (Commanding Officer) with the 4th (Queen's Own) Hussars was killed on Sunday March 31st 1918 (Easter Sunday) near Compiegne aged 38 during the German Spring Offensive. Coincidentally he had been born on Easter Sunday in 1879. He had been educated at Eton and commissioned in 1899. They are commemorated in the stained glass window of the church and altar screen in St. Brigid's church of Ireland, where they were benefactors. The commemorative brass plaque dated; poignantly Easter 1919 states; 'In Glad Thanksgiving for their lives, in proud remembrance of their deaths'.³ This left the Darleys with two surviving daughters.⁴ Wellington Darley died in 1920, and Anna Frances in 1925.

The house remained in the ownership of the Darley family. In 1960 the ownership passed from Mrs M.C. Darley-Miller to Commander A.Y. Darley, and in 1976 to Christopher Sean Tudor Darley, thereafter Tudor Investments in 1979.



Fig. 5. Commander Arthur Tudor Darley (Royal Navy Archives).

³ www.igo-web.com/igparchives/ire/wicl/low/cemeteries/st-patrick-enniskerry.txt.

⁴ www.geni.com/people/john-darley/

It was during this time that the property was divided into 4 housing units; 'Violet Hill House', 'Mandalay', 'Amber', and 'Gallery'. The latter two are self-contained apartments on the Ground and First floors on the servant's quarters respectively. 'Amber' contains the Billiard room pavilion previously referred to and is the subject of this application. The property was unwisely painted in a cream colour which is currently flaking off. This has obscured the fine detailing, such as the ashlar plinth, granite string coursing, and granite corbels.

The grounds were separated from the house around the same time and given over to housing, and the housing estates of Richmond Park and Ashton Wood were constructed on the former demesne.⁵

Violet Hill House was later rented by actor Seán Connery who lived here from approximately 1976 to 1979, perhaps lying low after his appearance in the risible 'Zardoz', made at nearby Ardmore Studios. The main house was most recently on the market in October 2013. 'Amber' was purchased by the present owners in December 2016.

Bray as a holiday resort continued to be popular until the advent of foreign travel in the 1960's, where-after the town lost much of its architectural distinction, including 'The International Hotel', and the Turkish Baths, which were demolished in the 1970's. Much of the Morrison's work to Kilruddery was demolished in 1953, when the house was reduced in size.⁶

⁵ The Little Book of Bray and Enniskerry by Brian White

⁶ To the designs of Architect Claud Phillimore. Though lauded at the time by Mark Bence-Jones, this action would be deplored today.



Fig. 6. First Edition O.S. shows the earlier iteration of the house which is 'L' shaped.



Fig. 7. 1912 Edition O.S. (Extract). The house has assumed its current appearance, with domestic quarters and stables by this date. (ArchInfo).

3 Building Description

(Refer Also to Drawings Submitted with Section 5 Planning Application).

General.



Fig. 8. Amber, Violet Hill. Side view

In 2017 our clients applied for planning permission to:

Refurbishment and reordering of interior features, involving; Removal of inserted loft floor and access steps in livingroom, removal of toilet to loft, and their replacement with a mezzanine floor and spiral staircase; reordering of attic to loft, incorporation of breathable insulation to external walls of apartment, incorporation of panelling to walls of livingroom, replacement of kitchen units and fittings, removal of closet to kitchen and replacing door with niche, removal of 1970's screen to kitchen, and insertion of new screen to corridor to form new kitchen and dining area, incorporation of new enlarged family bathroom at location of existing shower and boiler room, subdivision of boiler room with new door to new utility, removal of closet to corridor and its replacement with niche to new kitchen dining area, closing of door to existing bedroom 3 and the conversion of this room to utility, incorporation of new door to utility, refurbishment of existing w.c and ensuite bathroom, replacement of 1970's glazed doors, refurbishment of all existing windows, the glazing of the existing dormer windows, the installation of an air/water heat pump in the garden, and all

associated site works. At 'Amber', Violet Hill, Herbert Road, Bray, a Protected Structure.

These works have been completed to a high quality and the building has been maintained in good condition.

However it has been brought to our clients' attention that some of the details in the planning application have not been completed exactly in accordance with the information submitted with the planning application.

This report identifies 5 aspects of the design that differ from the original planning application and assess the conservation impact of these changes on the dwelling.

These changes are set out below and refer to drawing 2205.3.PL.02 for the detail layouts of each area. Changes A, B and C are all connected and dependent on each other:

A: New Door to Master Bedroom

In the original permission the position of the master bedroom door was to be retained in the original position. Before the house was split into 4 separate units, this door would have accessed the main central corridor located in the middle of the house.

It was decided to move the bedroom door from this location and to access the master bedroom from the entrance hall.

B: Existing door to bedroom removed

The original master bedroom door location was no longer required and the opening was closed up.

C: Bathroom layout changed

In the planning application a lobby provided access to the master bedroom and the family bathroom and the ensuite bathroom was shown behind the family bathroom accessed from the master bedroom.

It was decided to simplify this layout and retain the existing wall and close the door opening in it, remove the lobby and enlarge the living space and omit the family bathroom.

D: Visitor WC unchanged

The visitors WC was actually shown incorrectly on the original planning application and no changes were actually made to the layout of the visitor's WC.

E: Position of spiral staircase and mezzanine.

As part of the planning application the existing mezzanine floor was reduced in width and the dogleg staircase was removed and replaced with a spiral staircase.

The final location of the spiral staircase was amended on site in order to avoid the roof truss and is not in the same location as shown on the planning application.

4. Impact on Protected Structure.

General.

It is important to note that permission from the local authority is required for any changes to a protected structure however it is also important to note that it is possible to make changes and many of these changes are in the long term interest of the building and the cultural significance that they represent.

In this case if all of the changes listed above were applied for originally it is clear that they would have been granted permission. During the course of the works some changes were made from the original permission and while the impact of these changes is low it is also important to regularize these changes and have a complete record of the changes made to the building.

Each measure is assessed below and refer to Drawing 2205.3.PL.02 for the detail of the layouts.

A: New Door to Master Bedroom

In the original permission it was accepted that new openings could be made in existing walls. The overall impact of making this new door is very low. The original position of the door is known and can be reopened in the future if necessary. Likewise the new opening can be reversed and can be closed up in the future if required.

Moving this door to the hall simplifies the circulation in the entrance hall and the bedroom and it provides a less public access to the bedroom. As such it has a beneficial effect on the living accommodation overall and the new door can easily be reversed.

B: Existing door to bedroom removed

In the original permission it was accepted that some original aspects of the existing house could be demolished and removed. The overall impact of

blocking up this door is very low and is similar to A above. The position of the door is known and can easily be opened up in the future if required.

Removing this door increases the usable space in the living room and simplifies the circulation to the master bedroom. This has an overall beneficial effect on the house and the measure can be easily reversed.

C: Bathroom layout changed

In the planning application it was accepted that changes could be made to the layout of the toilet accommodation. The final layout retains an existing wall that was permitted to be demolished, it simplifies the overall layout of the bathroom increases the space for the living area.

This change had a positive impact on the house from a conservation point of view as it reduced the quantum of demolition and retained more of the original fabric of the house. It is also noted that it has reduced the number of bathrooms in the house and that this can be addressed by providing additional bathroom accommodation in the proposed extension.

D: Visitor WC unchanged

It was decided not to make any changes to the visitors WC and as such this has a neutral effect on the overall conservation value of the house.

E: Position of spiral staircase and mezzanine.

As part of the planning application, permission was granted to reduce the width of the existing mezzanine floor and replace the dogleg staircase with a spiral staircase.

The final location of the spiral staircase was amended on site in order to avoid the roof truss and is not in the same location as shown on the planning application. If the current location was shown on the planning application it would have made no material difference to the granting of permission. Therefore this is noted here in order to correct the planning record.

The impact of this change is neutral in the context of the planning permission.

5. Conclusion

The impact of these 5 changes discussed above has a positive effect on the building overall. The changes made are of the same type and scale as the changes granted by the local authority, less demolition of the existing fabric has taken place and the layout of the house has been improved. All of the measures have been

recorded and they are easy to reverse and revert to the original layout if necessary in the future.

In my opinion none of these changes are material to the grant of permission and if they were presented to the local authority they would have been granted on the basis of what the local authority originally deemed acceptable in the planning application.

From a conservation point of view they have had a positive effect to the extent that less existing fabric was demolished. The impact of these changes has no material effect on the scope of the work that was carried out on the building and are within the scope of work which was granted permission by the local authority. However, it is important that these changes should be recorded properly and that an accurate record of the buildings should be maintained.

Therefore, I request the local authority to accept this Section 5 application as a record of the work that has taken place in the building and to deem that these changes to the planning permission are exempt from planning and this application represents a correction in the planning record of the building.

Darragh Lynch RIAI, MARCH
Darragh Lynch Architects
RIAI architect accredited at conservation at grade 3

6. Bibliography and Sources

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RIAI Guidelines For The Conservation of Buildings (3rd Edition 2010).

Additional Non Bibliographic Sources.

ArchInfo

National Archives: Census of Ireland 1901/1911.

Valuation Office, Block 2, Irish Life Centre, Abbey St. Lwr Dublin 1.

Irish Architectural Archive, 45 Merrion Square Dublin 2.

Documentary Sources

Mr. Colum O' Riordain & Ms. Aisling Dunne,

Irish Architectural Archive, 45 Merrion Square, Dublin 2.

Ms. Niamh McDonnell, National Archives, Bishop Street, Dublin 8.

APPENDIX 1.

Reconstruction of Original floor plan, Violet Hill

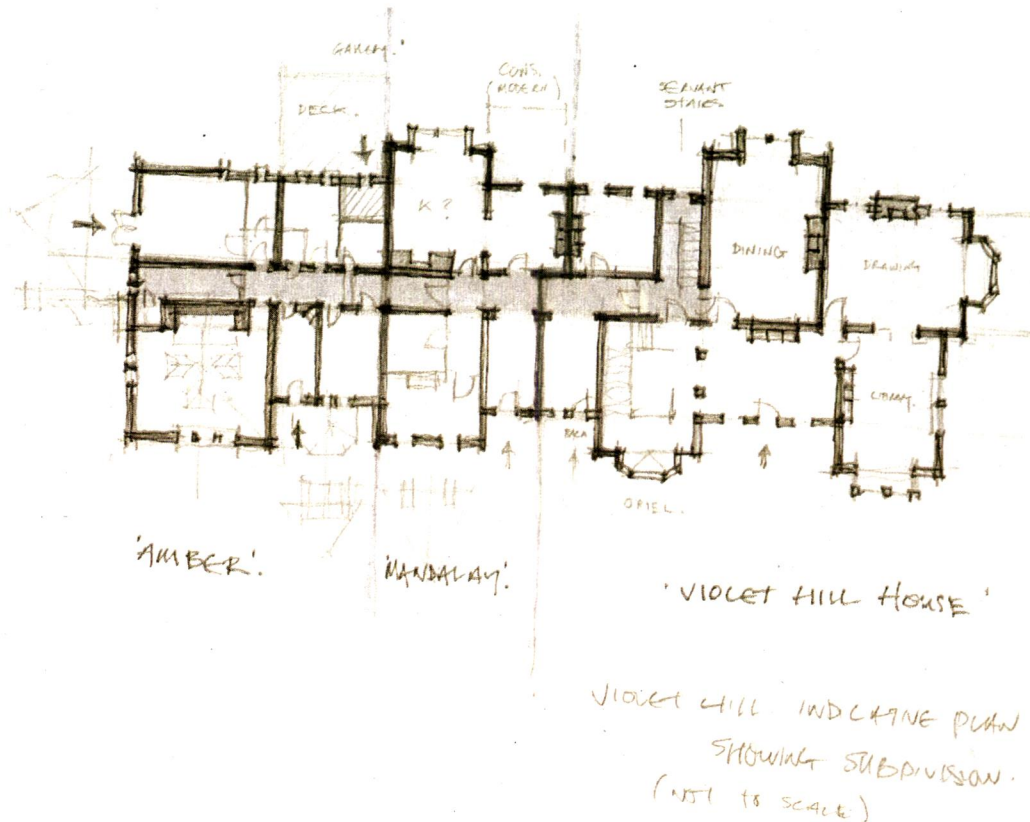
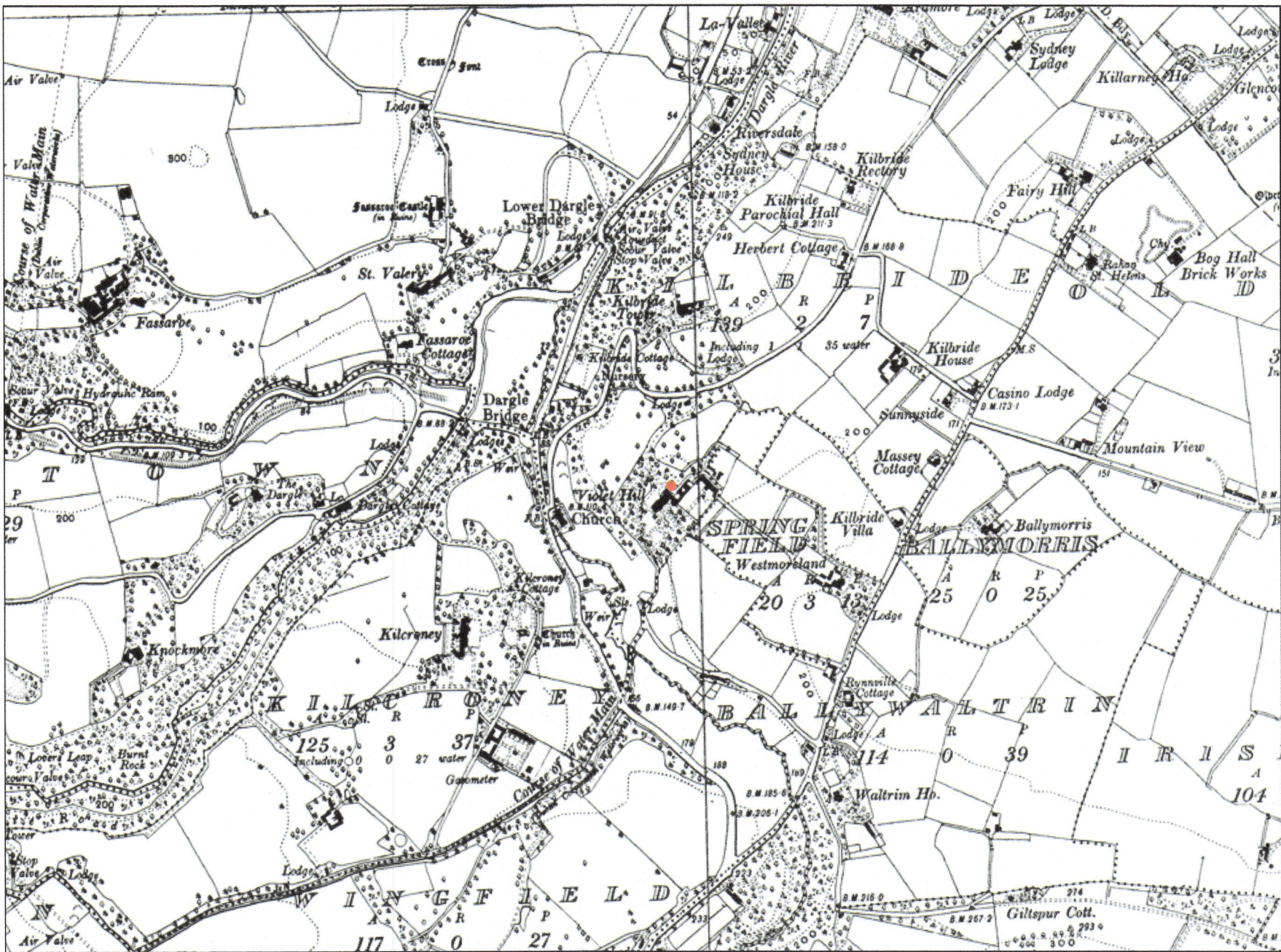


Fig 16: Floor plan of violet hill

1. Service corridor & servant stairs shown in blue.
2. The house is a twin pile as far as the projecting 'billiard room' pavilion at SW (lower left of plan).
3. The description of the house in 'The Irish Builder' states the house was built with 12 bedrooms, with bathrooms and w.c.'s; making it an early example of a house designed for indoor plumbing.

Description:
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Publisher / Source:
Ordnance Survey Ireland (OSI)
Data Source / Reference:
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Revision Date =
Survey Date = 31-Dec-1937
Levelled Date = 31-Dec-1940
WW003
Revision Date =
Survey Date =
Levelled Date = 31-Dec-1912
WW004
Revision Date =
Survey Date = 31-Dec-1937
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Product Version:
1.3



SITE LOCATION MAP 1:10560

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Ordnance Survey Ireland (OSI)
Data Source / Reference:
PRIME2
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Autodesk AutoCAD (DWG_R2013)
File Name:
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Centre Point Coordinates:
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Reference Index:
Map Series / Map Sheets
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1:2,500 3817-A
1:2,500 3868-C
1:1,000 3868-22
Source Data Release:
DCML5 Release V1.152.113
Product Version:
Version= 1.4



SITE LOCATION MAP 1:1000

Data Extraction Date:
20-Jun-2022
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Sáráilonn aithreagáil neamhdáiríthe cóipcheart Suirbhíreacht Ordánais Éireann agus Rialtas na hÉireann.
Gach cead ar cosnamh. Ní ceadnách aon chuid den fhóilsceall seo a chóipeáil, a aithreagáil ná a thairgeáil in aon bheinn ná, ar aon bhealach gan cead / scribhinn roimh ná ó úndír an chóipcheart.
Ní nionann bódair, bealach nó cosán a bheith ar an tiomsaí seo agus rialtas ar chóipcheart.
Ní thairgeáil ná aithreagáil de chuid Ordánais Suirbhíreacht na hÉireann tairgeáil aithreagáil de mhainn riann, ná úndírreacht de ghriúthe fhisiciúla.

SCHEDULE OF AREAS	
SITE AREA OUTLINED IN RED	0.1196 ha
EXISTING GROSS FLOOR AREA	195.9 m ²
DEMOLITIONS FLOOR AREA	0.0 m ²
AREA OF DEMOLISHED SHEDS	15.6 m ²
PROPOSED FLOOR AREA	0.0 m ²
PROPOSED GROSS FLOOR AREA	195.6 m ²
AREA OF NEW SHEDS	22.5 m ²

LEGEND	
	EXISTING STRUCTURES
	DEMOLISHED STRUCTURES
	STRUCTURES TO BE RETAINED

LEGEND	
	SITE BOUNDARY
	SURFACE WATER DRAINAGE
	FOUL WATER DRAINAGE



AS BUILT SITE LAYOUT PLAN 1:200

FURTHER INFORMATION NOTES IN RED

PROJECT CONSULTANTS:	REV.	DATE	DESCRIPTION	AUTHOR
ENGINEER:	A	2023.02.03	ISSUED FOR CLIENT'S APPROVAL	
M&E ENGINEER:	B	2023.03.08	ISSUED FOR SECTION 5 DECLARATION	
QUANTITY SURVEYOR:	C	2023.04.12	FURTHER INFORMATION-REVISED & REISSUED FOR SECTION 5 DECLARATION	
LANDSCAPE DESIGN:				
ASSIGNED CERTIFIER:				
PSDP:				

wicklow: mortons lane, wicklow town, A67TF44, t0404-34652, dublin: synges street, dublin 8 t01-4753798 e: info@ronanrosesroberts.com w: www.ronanrosesroberts.com	PROJECT: Retention of changes to House at Amber Violet Hill	CLIENT: O'Brien Birthistle
JOB NO: 2205	DATE: 12/04/2023	STAGE: 3. SCHEME DESIGN/PL
DRAWING: Rev.C SITE LAYOUT PLAN AND LOCATION MAPS		DRAWING NO: 2205.3.PL.01
SCALE: PER NOTES @ Arch D		
NOTIFY ARCHITECTS OF ANY DISCREPANCIES	DO NOT SCALE FROM DRAWING	CHECK DIMENSIONS ON-SITE
COPYRIGHT RESERVED		

WICKLOW COUNTY COUNCIL
12 APR 2023
EX2112023
PLANNING DEPT.

RETENTION
RONAN
ROSE
ROBERTS
ARCHITECTS

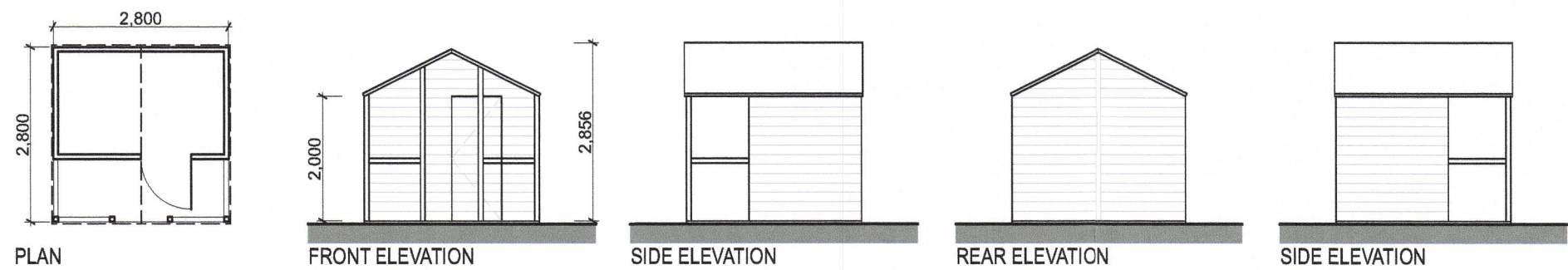


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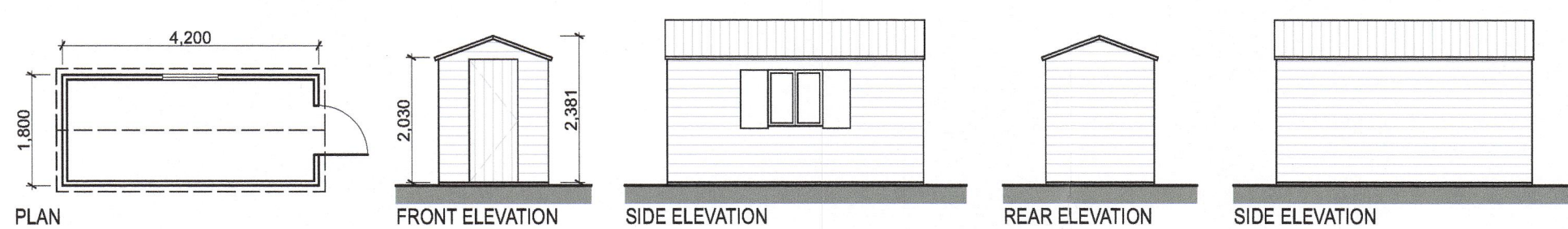
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DEMOLISHED SHEDS 1 AND 2 PLAN & ELEVATIONS 1:100



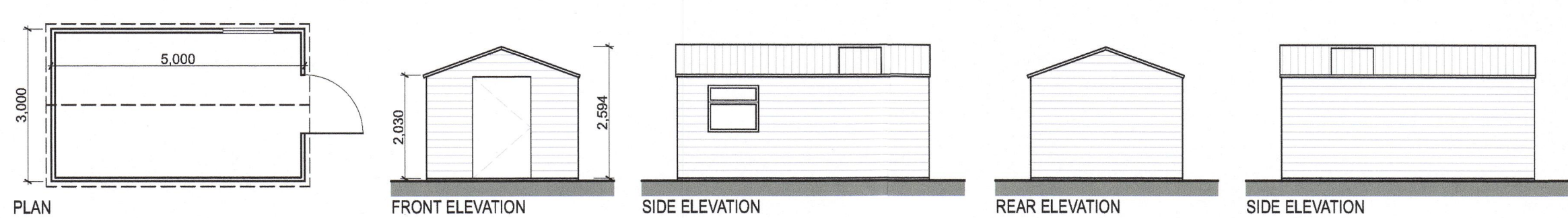
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REMOVED SHEDS EXTERNAL FINISHES SCHEDULE:
ROOF - BITUMEN FINISH
WALLS - TIMBER CLADDING
PLINTH - CONCRETE SLAB
WINDOWS AND DOOR - TIMBER

NEW SHED 1 PLAN & ELEVATIONS 1:100



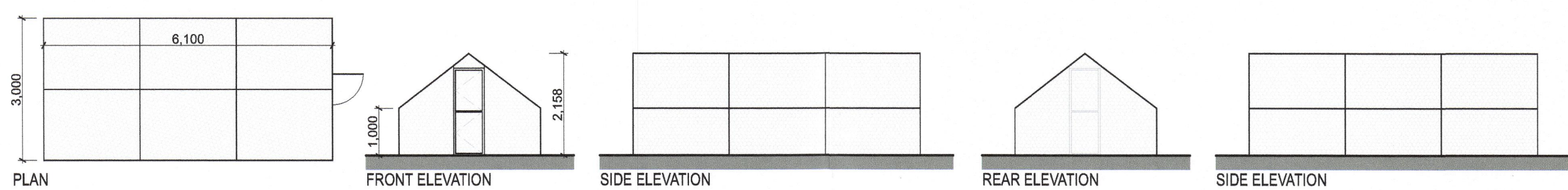
(NOT PART OF THIS SECTION 5 APPLICATION)
NEW SHED 1 EXTERNAL FINISHES SCHEDULE:
ROOF - BLACK COATED CORRUGATED METAL SHEETING
WALLS - BLACK PAINTED TIMBER CLADDING
PLINTH - TIMBER STRUCTURE
WINDOW AND DOOR - BLACK TIMBER

NEW SHED 2 PLAN & ELEVATIONS 1:100



(NOT PART OF THIS SECTION 5 APPLICATION)
NEW SHED 2 EXTERNAL FINISHES SCHEDULE:
ROOF - BLACK COATED CORRUGATED METAL SHEETING
WITH CORUGATED TRANSPARENT SHEETS
WALLS - BLACK COATED CORRUGATED METAL CLADDING
PLINTH - CONCRETE
WINDOW AND DOOR - BLACK UPVC

NEW HEN HOUSE PLAN & ELEVATIONS 1:100



(NOT PART OF THIS SECTION 5 APPLICATION)
NEW HEN HOUSE EXTERNAL FINISHES SCHEDULE:
ROOF - PLASTIC MEMBRANE PARTIAL COVER
WALLS - STEEL STRUCTURE WITH WIRE MESH
PLINTH - NONE
WINDOW AND DOOR - STEEL FRAME W WIRE MESH



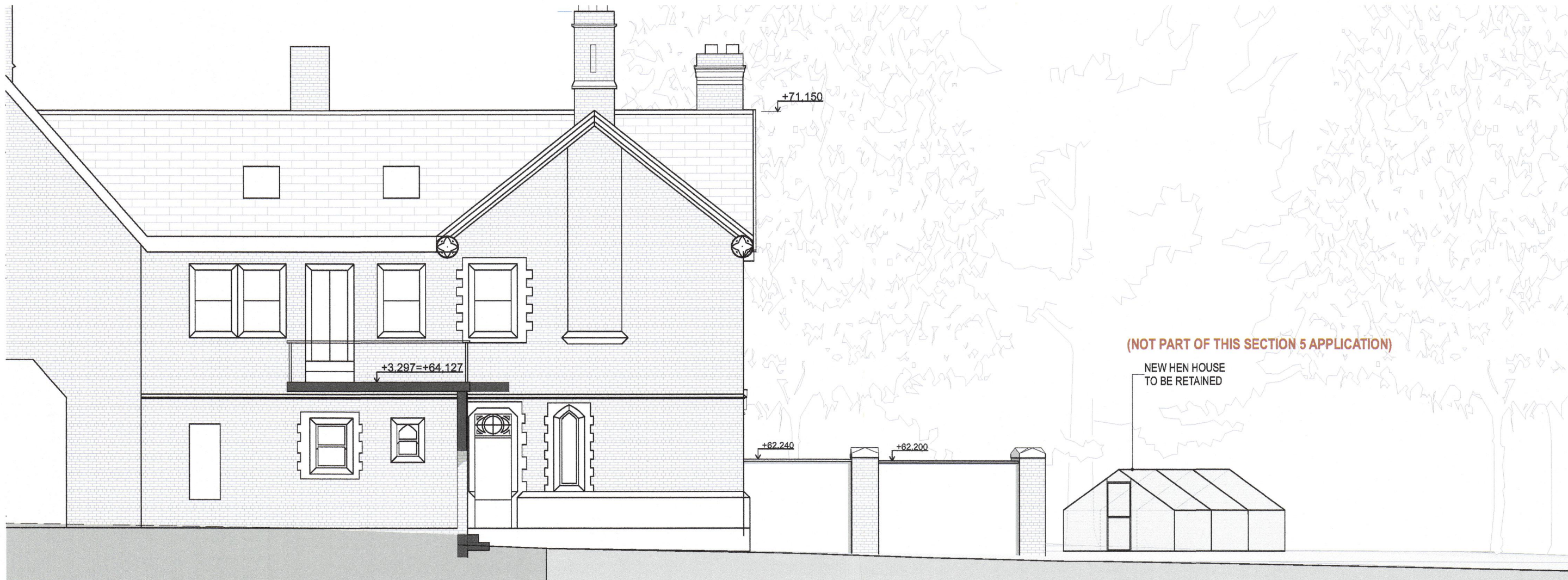
NEW SHEDS TO BE RETAINED



CHICKEN COUP TO BE RETAINED

FURTHER INFORMATION NOTES IN RED

PROJECT CONSULTANTS:	REV.	DATE	DESCRIPTION	AUTHOR	NOTES
ENGINEER:	A	2023.02.03	ISSUED FOR CLIENT'S APPROVAL		wicklow: mortons lane, wicklow town, A67TF44, L0404-34652, dublin 8 syringe street, dublin 8 t01-4753796 e: info@ronanrosereberts.com w: www.ronanrosereberts.com
M&E ENGINEER:	B	2023.03.08	ISSUED FOR SECTION 5 DECLARATION		PROJECT: Retention of changes to House at Amber Violet Hill CLIENT: O'Brien Birdhistle
QUANTITY SURVEYOR:	C	2023.04.12	FURTHER INFORMATION-REVISED & REISSUED FOR SECTION 5 DECLARATION		JOB NO: 2205 DATE: 12/04/2023
LANDSCAPE DESIGN:					DRAWING: Rev.C HOUSE ELEVATIONS AND SHEDS STAGE: 3. SCHEME DESIGN/PL
ASSIGNED CERTIFIER:					SCALE: PER NOTES @ Arch D DRAWING NO: 2205.3.PL.03
PSDP:					NOTIFY ARCHITECTS OF ANY DISCREPANCIES DO NOT SCALE FROM DRAWING CHECK DIMENSIONS ON-SITE COPYRIGHT RESERVED



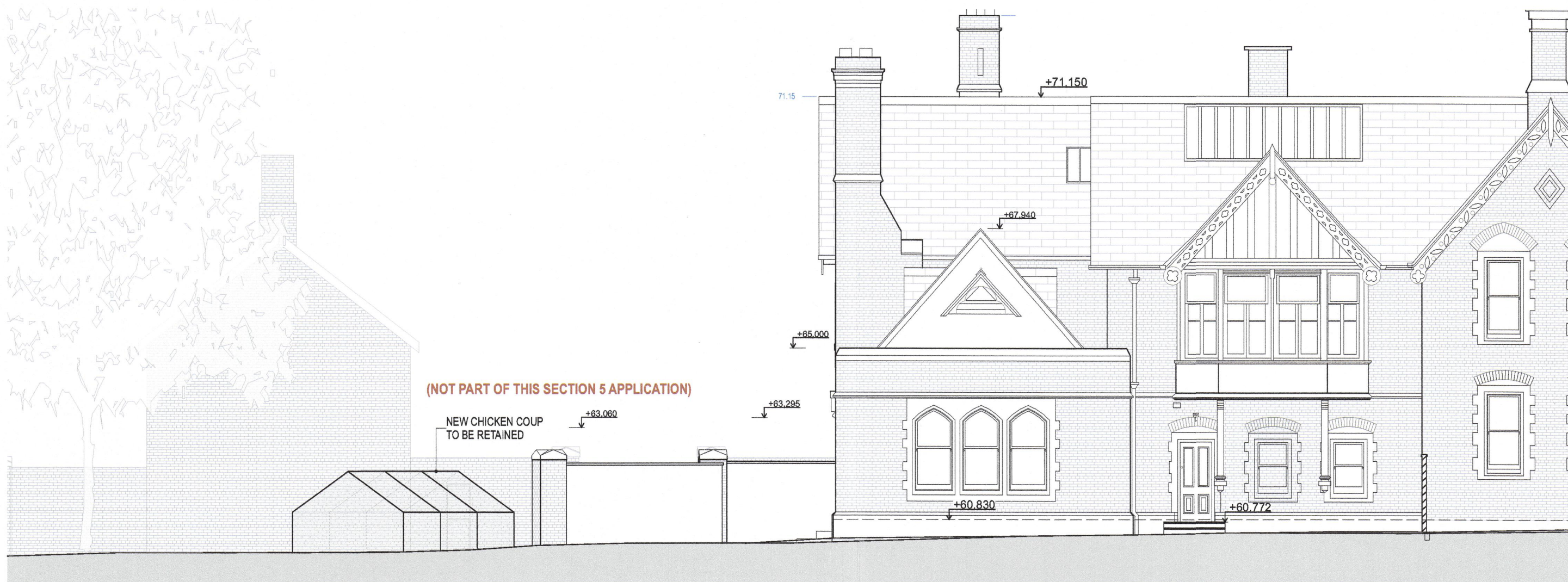
Rear Elevation Facing South-East



Side Elevation Facing North-East 1:100

EXISTING EXTERNAL FINISHES SCHEDULE:
PITCHED ROOF - BLUE BANGOR SLATES
ROOF FASCIA - DECORATIVE FASCIA WITH EXPOSED
DECORATIVE RAFTERS
RAINWATER-GOODS - CAST IRON
EXTERNAL WALLS
- REDBRICK PAINTED YELLOW
- REDBRICK UNPAINTED
- PAINTED PEBBLE DASH
CAPPING - GRANITE STONE
WINDOWS AND DOORS - PAINTED TIMBER WITH PAINTED
STONE QUINING SURROUNDS
EXTERNAL STRUCTURAL SUPPORTS - DECORATIVE TIMBER
PLINTH - ASHLAR GRANITE STONE
THE GALLERY ENTRANCE - CONCRETE STEPS WITH IRON
BALUSTRADE, GALVANISED STEEL BALCONY

WICKLOW COUNTY COUNCIL
12 APR 2023
EX 21/2023
PLANNING DEPT.



Front Elevation Facing North-West 1:100

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RONAN
ROSE
ROBERTS
ARCHITECTS

CHANGES AS GRANTED PER PERMISSION REF.17544

AS BUILT LAYOUTS



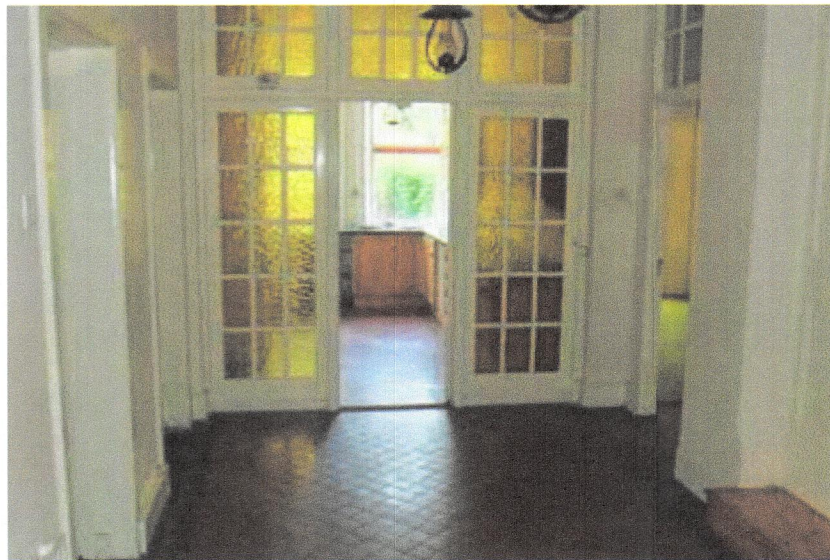
ORIGINAL ENTRANCE HALL



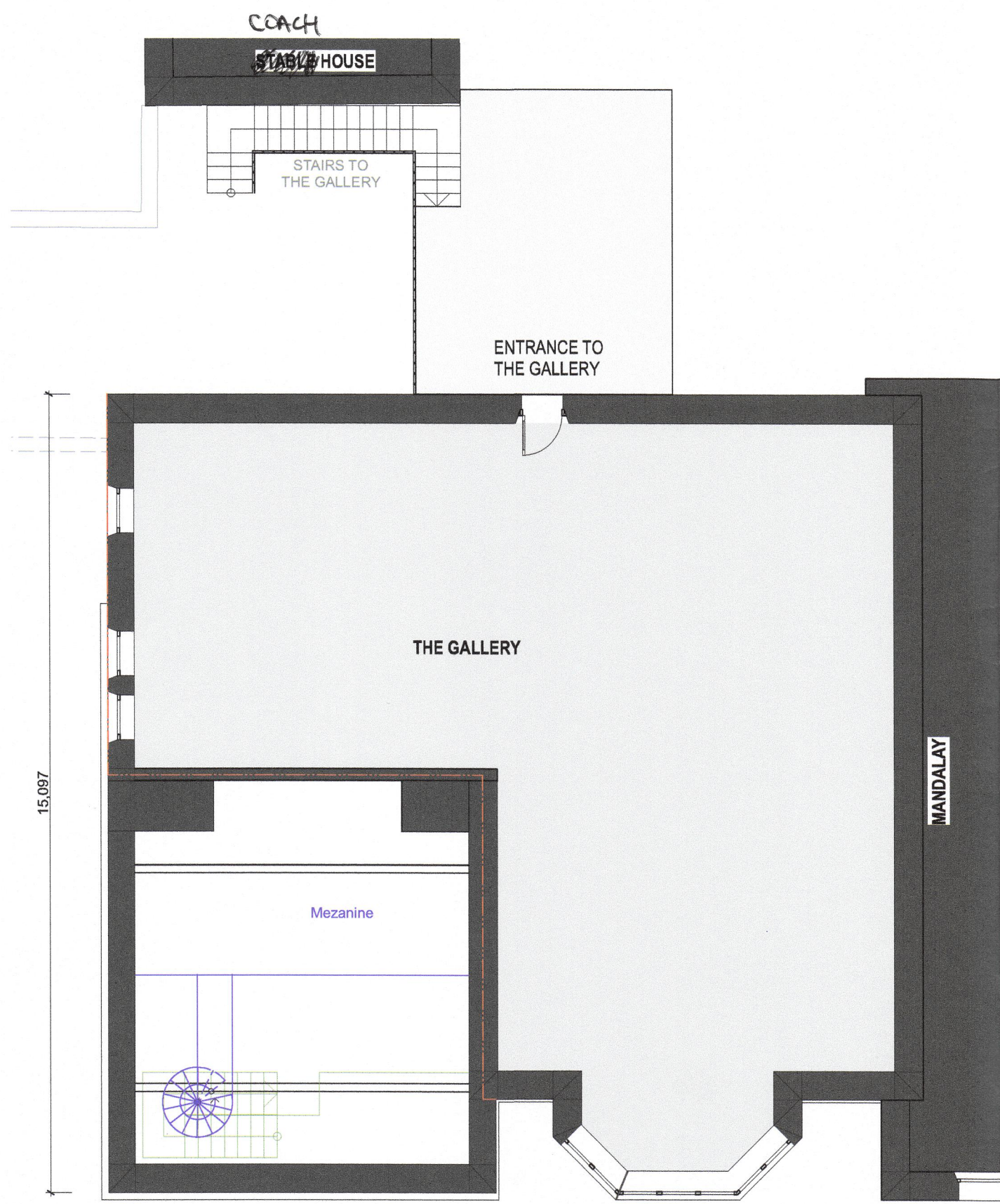
ORIGINAL LIVING ROOM



ORIGINAL KITCHEN



ORIGINAL DINING AREA



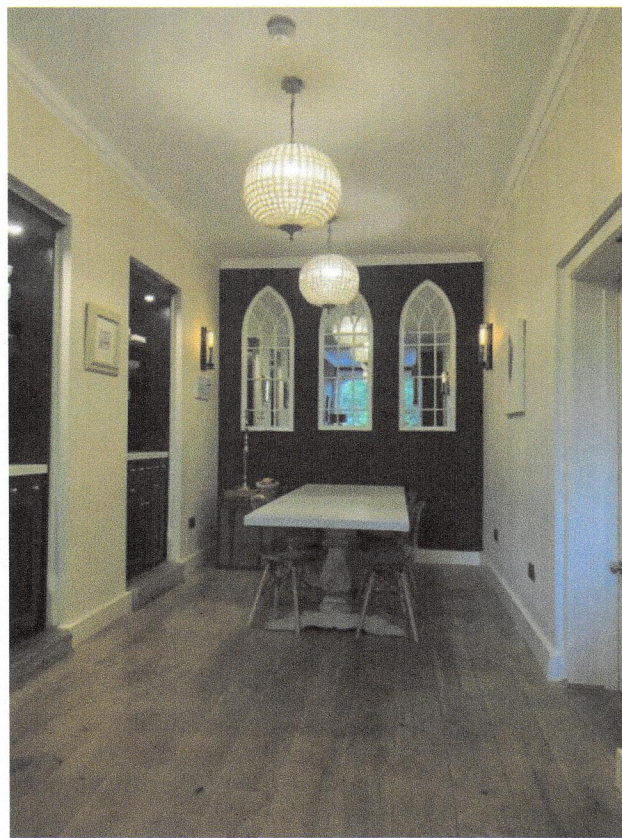
GRANTED PL REF 17544 FIRST FLOOR PLAN 1:100



A - NEW DOOR FROM ENTRANCE HALL TO MASTER BEDROOM



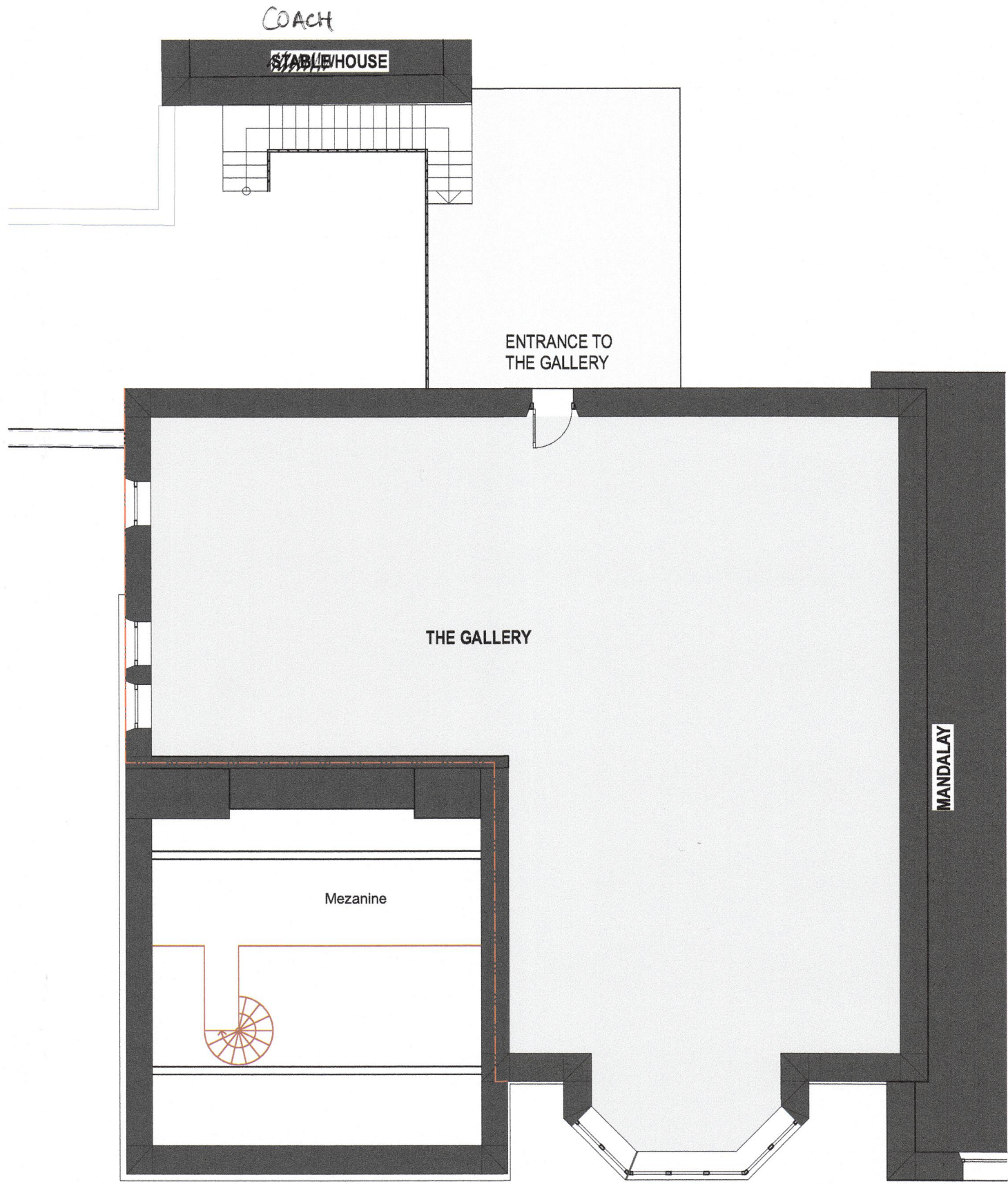
E - NEW SPIRAL STAIRS



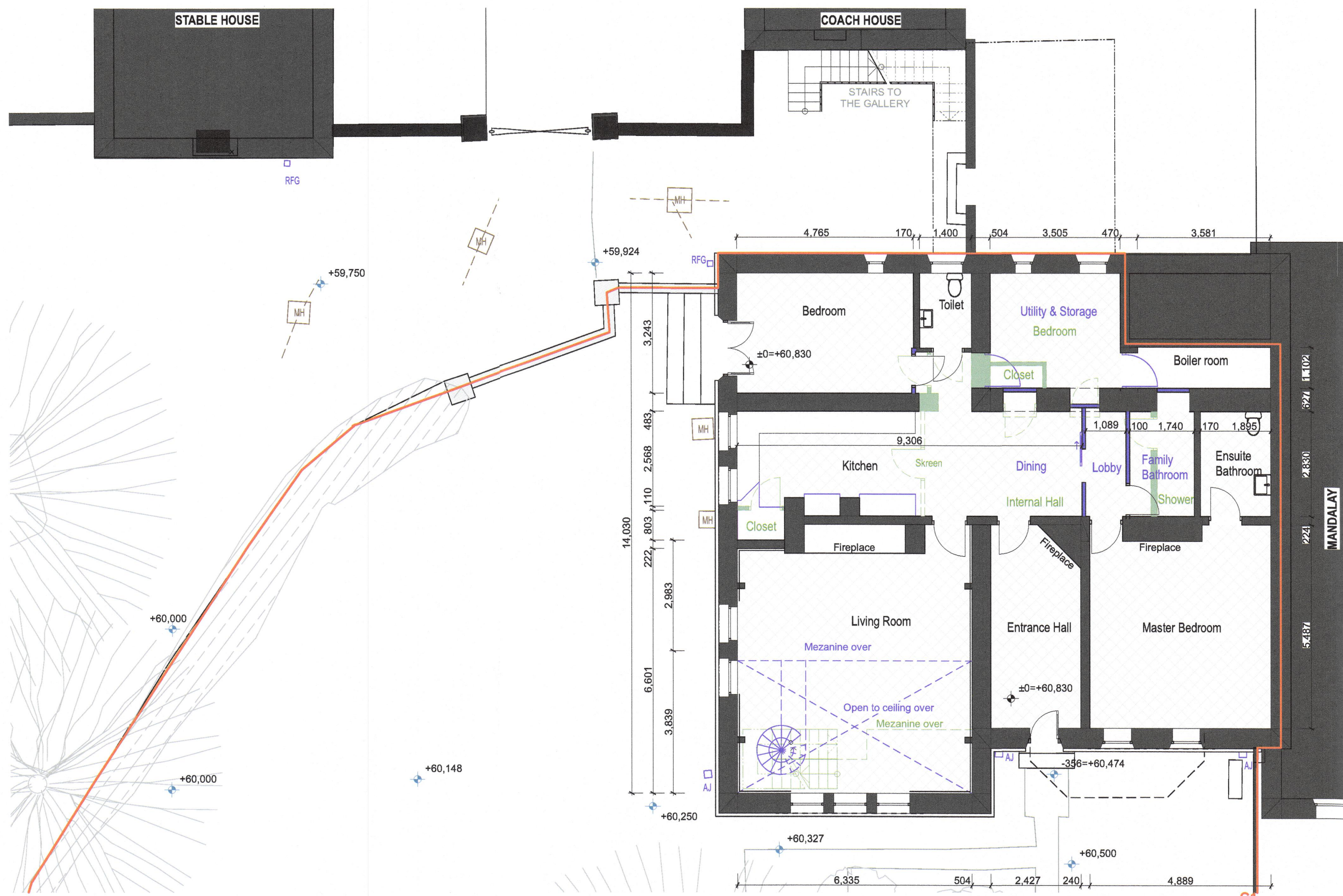
B,C - DINING AREA



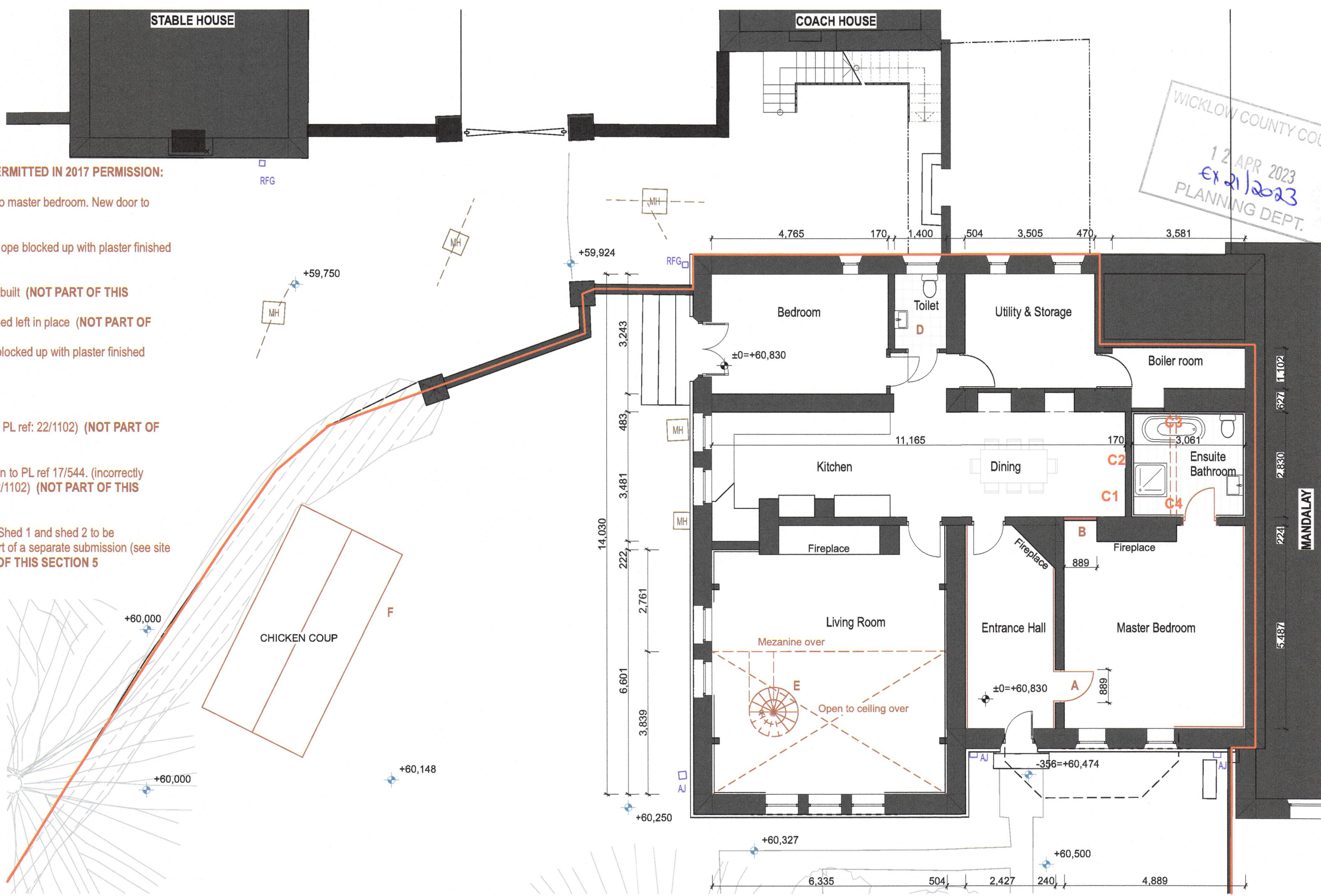
D - LOBBY BETWEEN BEDROOM, TOILET AND UTILITY



AS BUILT FIRST FLOOR PLAN 1:100



GRANTED PL REF 17544 GROUND FLOOR PLAN 1:100

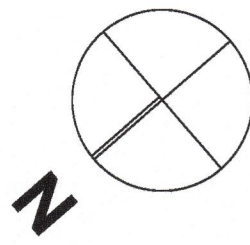


AS BUILT GROUND FLOOR PLAN 1:100

SCHEDULE OF ALTERATIONS NOT PERMITTED IN 2017 PERMISSION:

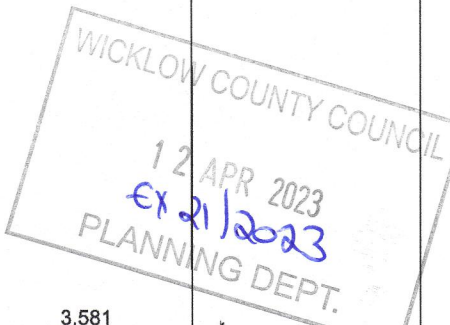
- A. Existing wall opened up for new door to master bedroom. New door to match original style of door
- B. Existing modern door removed & door ope blocked up with plaster finished timber frame stud partition.
- C1. Permitted new partition and door not built (NOT PART OF THIS SECTION 5 APPLICATION)
- C2. Existing wall permitted to be demolished left in place (NOT PART OF THIS SECTION 5 APPLICATION)
- C3. Existing door ope with modern door blocked up with plaster finished timber frame stud partition.
- C4. Existing en-suite wall removed.
- D. Existing toilet (incorrectly omitted from PL ref: 22/1102) (NOT PART OF THIS SECTION 5 APPLICATION)
- E. Spiral Stairs as built- minor modification to PL ref 17/544, (incorrectly shown as a dog-leg stairs in PL ref: 22/1102) (NOT PART OF THIS SECTION 5 APPLICATION)
- F. Metal frame and mesh chicken coup, Shed 1 and shed 2 to be submitted for planning retention as part of a separate submission (see site layout plan for location) (NOT PART OF THIS SECTION 5 APPLICATION)

- LEGEND
- EXISTING STRUCTURES
 - DEMOLITIONS GRANTED PER PERMISSION REF.NO.17544
 - NEW STRUCTURES GRANTED PER PERMISSION REF.NO.17544
 - AS BUILT CHANGES



PROJECT CONSULTANTS:	REV.	DATE	DESCRIPTION	AUTHOR
ENGINEER:	A	2023.02.03	ISSUED FOR CLIENT'S APPROVAL	
M&E ENGINEER:	B	2023.03.08	ISSUED FOR SECTION 5 DECLARATION	
QUANTITY SURVEYOR:	C	2023.04.12	FURTHER INFORMATION-REVISED & REISSUED FOR SECTION 5 DECLARATION	
LANDSCAPE DESIGN:				
ASSIGNED CERTIFIER:				
PSDP:				

wicklow: mortons lane, wicklow town, A67TF4, t3404-34652, dublin: syngre street, dublin 8 t01-4753796 e: info@ronanroberts.com w: www.ronanroberts.com	CLIENT: O'Brien Birdthistle
PROJECT: Retention of changes to House at Amber Violet Hill	DATE: 12/04/2023
JOB NO: 2205	STAGE: 3. SCHEME DESIGN/PL
DRAWING: Rev.C FLOOR PLANS	DRAWING NO: 2205.3.PL.02
SCALE: PER NOTES @ Arch D	
NOTIFY ARCHITECTS OF ANY DISCREPANCIES	DO NOT SCALE FROM DRAWING
CHECK DIMENSIONS ON-SITE	COPYRIGHT RESERVED



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