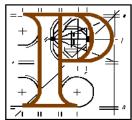# An Bord Pleanála

Board Direction

_____

Ref: 29S.245616

The submissions on this file and the Inspector's report were considered at a Board meeting held on 20th, January 2016.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the reasons and considerations and subject to the conditions as set out below.

Reasons and Considerations

Having regard the Z5 – 'city centre' zoning objective for the site in the Dublin City Development Plan 2011 – 2017, the character and pattern of development in the vicinity of the site and the nature of the proposed use it is considered that, subject to compliance with the conditions set out below, the proposed development and use would be compatible with the established use in the vicinity of the site, would not seriously injure the amenities of area or of properties in the vicinity, would not have a detrimental impact on a protected structure and would be in accordance with the proper planning and sustainable development of the area.

Conditions

1.   The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 20th day of August 2015, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

   Reason: In the interest of clarity.

2. Amplified music or other specific entertainment noise emissions from the premises shall not exceed the background noise level by more than 5 dB(A) at any time. The background noise level shall be taken as L_{90} and the specific noise shall be measured at $L_{Aeq., 15}$ min.

Detailed plans and particulars indicating sound-proofing or other measures to ensure compliance with this condition shall be submitted to, and agreed in writing with, the planning authority prior to the proposed use of the premises. An acoustical analysis shall be included with this submission to the planning authority.

Reason: In order to protect the amenities of property in the vicinity having particular regard to the nuisance potential of low frequency sound emissions during night-time hours.

3. No signage shall be erected on site or attached to the building without a prior grant of planning permission.

Reason: In the interest of visual amenity and to protect the character of the Protected Structure.

4. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

5. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

6. All proposed works to the protected structure, shall be carried out under the supervision of a conservation architect qualified to Grade II RIAI or equivalent.

Reason: To secure the authentic preservation of this protected structure and to ensure that the proposed works are carried out in accordance with best conservation practice.

7. The use hereby permitted for the ground floor is that of a restaurant only. Any subsequent proposal for a hot food takeaway shall require a further planning permission.

   Reason: In order to afford the planning authority control over the use in the interest of amenity.

8. Std. S. 49 (unspecified) and Reason

Board Member: _____ Date: 25th, January 2016
                        Paddy Keogh