



An
Bord
Pleanála

**Board Direction
PL29S.247170**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 7th June 2017.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions. The Board's decision is generally in accordance with the Inspector's recommendation, save for the proposed side extension to no. 20 Palmerstown Park.

Note: the Board was satisfied that a single board order encompassing the entire development was appropriate, as opposed to a 'split-decision' for different elements.

Reasons and Considerations

In relation to the existing protected structure number 20 Palmerston Park, having regard to the Objective Z2 Residential Conservation Area zoning objective for the area, to the design of the proposed development, to the extent of works proposed and impact on original fabric of the building, to the planning history of the overall site and of the area, and to the pattern of development in the area, it is considered that, subject to compliance with conditions below, the proposed development, including the side extension proposed and the off-street car-parking, would not seriously injure the amenities of the area or of property in the vicinity and would not have a significant adverse effect on the character or setting of the protected structure at No.20 Palmerston Park (or other protected structures nearby), or on the residential conservation area.

In relation to the proposed Mews houses, having regard to the Objective Z2 Residential Conservation Area zoning objective for the area, to the size of the site

and extent of existing mews development, to the planning history of the overall site and of the area and to the pattern of development in the area, it is considered that, subject to compliance with conditions below, the proposed demolition of the existing mews house and its replacement with two mews houses would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience and would not have a significant adverse effect on the character or setting of the protected structure at No.20 Palmerston Park (or other protected structures nearby), or on the residential conservation area.

The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission for the side extension, the Board was satisfied that the proposed side extension would be an acceptable replacement of the existing conservatory to the side of the main dwelling, would be attractive in terms of form and materials, and would not impinge to a significant degree on the visual amenity of the streetscape in this conservation area, or on the character or setting of the protected structure (or other protected structures nearby) . This was also the position taken by the conservation officer of the planning authority. The Board did not consider that the existing non-original conservatory extension was of such character or quality that it should be retained.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application 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. The following shall be complied with in the development:

(a) A Grade I Conservation Architect shall be employed to manage, monitor and implement the works on no. 20 Palmerston Park and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained building and facades structure and/or fabric.

(b) All repair works to the protected structure shall be carried out in accordance with best conservation practice as detailed in the application and the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Environment, Heritage and Local Government in 2004. The repair works shall retain the maximum amount of surviving historic fabric in situ, including structural elements, plasterwork (plain and decorative) and joinery and shall be designed to cause minimum interference to the building structure and/or fabric. Items that have to be removed for repair shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.

(c) All existing original features, including interior and exterior fittings/features, joinery, plasterwork, staircases including balusters, handrail and skirting boards, shall be protected during the course of refurbishment. The internal subdivision of Room no. 2 – 01 shall be carried out so that existing cornice and dado rail is not interfered with or removed.

(d) full details of the proposed damp proofing/ mechanical and electrical services / insulation and replacement windows shall be submitted for the written agreement of the planning authority prior to the commencement of development.

Reason: To ensure that the integrity of the retained structure is maintained and that the structures are protected from unnecessary damage or loss of fabric.

3. The width of the proposed vehicular access to no. 20 Palmerston Park shall be a maximum of 2.6 metres. The extent of hard landscaping shall be minimised and space for the parking of a maximum of two cars shall be provided. Existing front railings shall be used in the new vehicular gates. Revised proposals showing

compliance with these requirements shall be submitted to and agreed with the Planning Authority prior to the commencement of development.

Reason: To protect visual amenities and the character of this residential conservation area.

4. Prior to the commencement of development a landscaping scheme shall be submitted for the written agreement of the planning authority. This scheme shall include details of all existing trees and hedgerows on the site, identify those for retention as well as measures for their protection during construction works. The site shall be landscaped in accordance with the agreed scheme which shall include a timescale for implementation.

Reason: In the interests of visual amenity.

5. Site development and building works shall be carried out only between the hours of 07.00 to 18.00 Mondays to Fridays inclusive, between 08.00 to 14.00 on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

6. Water supply and drainage arrangements, including the attenuation and 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.

7. The car parking spaces serving the permitted mews dwellings shall be kept free from obstruction at all times for use by the occupiers of the dwellings and shall not be separated by sale or lease from the permitted mews dwellings. Gates to the integrated car parking areas shall not open outwards or otherwise obstruct the mews laneway.

Reason: To ensure the provision of adequate off street parking to serve the proposed development.

8. Details of the materials, colours and textures of all the external finishes to the proposed mews dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

9. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of any of the proposed mews dwelling houses without a prior grant of planning permission.

Reason: In order to ensure that a reasonable amount of private open space is provided for the benefit of the occupants of the proposed dwellings.

10. Proposals for a house numbering scheme for the mews houses, and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of urban legibility.

11. All service cables associated with the proposed development such as electrical, telecommunications and communal television shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

12. 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.

13. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the

planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme. Reason: It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Board Member

Date: 7th June 2017

Conall Boland