



An  
Bord  
Pleanála

**Board Direction**  
**BD-001418-18**  
**ABP-300068-17**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/10/2018.

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

### **Reasons and Considerations**

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022, the planning history of the site, the pattern of development in the area, and to the nature and scale of the proposed development (including proposals to restore Glebe House), it is considered that, subject to compliance with the following conditions, the proposed development would represent a distinct improvement to the architectural conservation area within which the site is located, would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health, would not adversely affect the setting of the Protected Structure on the site, and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, 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, including the Further Information response that was received by the planning authority on the 6<sup>th</sup> day of September 2017, 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 design of the three-storey block in the northeastern corner of the site (adjacent to Eaton Drive) shall be amended as follows-
  - (a) The winter gardens on the northern elevation, at first and second floor level, shall be omitted.
  - (b) The north-facing windows in the corner bedrooms on both the first and second floor level shall be omitted – leaving only windows addressing Eaton Drive in these two bedrooms.
  - (c) The north-facing windows in the remaining two bedrooms at first and second floor level shall be replaced with squint or angled windows, oriented towards Eaton Drive.
  - (d) The bicycle parking spaces at ground level shall be relocated away from the ramp access to the basement, and the number of spaces shall be increased to at least ten.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of residential amenity, traffic safety, and to protect the amenities of the adjoining site to the north.

3. Works to the Protected Structure (Glebe House) shall be carried out as part

of, and in tandem with, the proposed apart-hotel development.

Restoration, repair and alterations to Glebe House shall be completed prior to first occupation of any retail unit or apart-hotel bedroom within the site.

**Reason:** To ensure that the development is carried out in its entirety in the interests of the restoration and renovation of Glebe House, and in the interests of the visual amenities of this prominent site on the Main Street of the village.

4. The proposed apart-hotel development shall be used only as a short-stay tourist accommodation facility, with a maximum occupancy period of two months, and shall not be used for permanent occupation or for use as a student residence.

**Reason:** In the interest of orderly development and to protect residential amenities.

5. Details, including samples of the materials, colours and textures of all the external finishes, including external paving/hard landscaping, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of the visual amenities of the area.

6. No advertisement or advertisement structure, the exhibition or erection of which would otherwise constitute exempted development under the Planning and Development Regulations, 2001, or any statutory provision amending or replacing them, shall be displayed or erected (on the buildings or within the curtilage of the site) unless authorised by a further grant of planning permission.

**Reason:** In the interest of visual amenity.

7. Details of signage for retail units, apart-hotel and market stalls shall be the subject of separate planning application(s) to the planning authority.

**Reason:** In the interest of clarity and the visual amenity of the area.

8. The landscaping scheme for the courtyard areas and the river fern garden shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

**Reason:** In the interest of residential and visual amenity.

9. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:-

- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and
- (b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:

- (i) the nature and location of archaeological material on the site, and
- (ii) the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

**Reason:** In order to conserve the archaeological heritage of the area and to secure the preservation (*in-situ* or by record) and protection of any

archaeological remains that may exist within the site.

10. Water supply and drainage arrangements, including the disposal of surface water and internal basement drainage, shall comply with the requirements of the planning authority for such works and services as appropriate. In particular, no part of the development shall be occupied until such time as the issue of foul discharge to the Tay Lane Pumping Station is resolved to the satisfaction of the planning authority.

**Reason:** In the interest of public health and to ensure a proper standard of development.

11. 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.

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

12. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated. Any asbestos-containing materials (ACM) identified within structures to be

demolished shall be removed by a licenced waste contractor.

**Reason:** In the interest of public health and sustainable waste management and to ensure a proper standard of development.

13. The internal noise levels, when measured at the windows of any bedroom within the apart-hotel development, shall not exceed:

(a) 35dB(A) $L_{Aeq}$  during the period 0700-2300 hours, and

(b) 30dB(A) $L_{Aeq}$  at any other time.

A scheme of noise mitigation measures, in order to achieve these levels, shall be submitted to and agreed in writing with, the planning authority prior to commencement of development. The agreed measures shall be implemented prior to the occupation of any bedroom within the apart-hotel.

**Reason:** To protect occupants of bedrooms from noise from the nearby N7 and from Casement Aerodrome, Baldonnell, in the interest of residential amenity and human health.

14. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

**Reason:** In the interests of visual amenity.

15. Before any development authorised by this permission takes place, the long, single-storey west wing range of Glebe House (currently in use as a motor repair facility) shall be removed in such a manner as to enable its construction and detailing to be recorded and photographed. Details of that element, including measured architectural drawings and coloured photographs, shall be recorded in accordance with the requirements of the planning authority. Details of procedures for removal and recording shall be submitted to, and agreed in writing with, the planning authority.

**Reason:** To ensure the preservation of an accurate record of a structure of architectural heritage value, forming part of a Protected Structure, which is to be permanently removed.

16. Prior to commencement of development, the developer shall provide for the following:-

- (a) The appointment of a conservation expert, who shall manage, monitor and implement works on the site and ensure adequate protection of the historic fabric during these works.
- (b) The submission of details of all finishes and of all existing original features to be retained and reused, where possible, including interior and exterior fittings/features, joinery, fenestration, plasterwork, features (cornices and ceiling mouldings), roofs, staircases (including balusters and handrails) and skirting boards.

All repair/restoration works shall be carried out in accordance with best conservation practice as detailed in the application and in the “Architectural Heritage Protection – Guidelines for Planning Authorities”, issued by the Department of Environment, Heritage and Local Government in 2004. The repair/restoration works shall retain the maximum amount possible of surviving historic fabric, *in-situ*, including structural elements, plasterwork and joinery and shall be designed to cause minimum interference to the building structure and/or fabric.

**Reason:** To ensure that the integrity of the Protected Structure is maintained and that it is protected from unnecessary damage or loss of fabric.

17. Prior to commencement of development, the developer shall submit, and obtain the written agreement of the planning authority to, a plan containing details for the management of waste and, in particular, recyclable materials, within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials, and for the ongoing operation of these facilities. This plan shall provide for a dedicated bin/bottle store area within the basement for the Glebe House elements of the apart-hotel business.

**Reason:** To provide for the appropriate management of waste and, in particular, recyclable materials, the interest of protecting the environment.

18. 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, as amended. The contribution shall be paid prior to 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. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.
- Reason:** It is a requirement of the Planning and Development Act 2000, as amended, 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:** 23/10/2018

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John Connolly