



An
Bord
Pleanála

Board Direction
BD-001506-18
ABP-300987-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 01/11/2018.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the provisions of the Dublin City Development Plan 2016-2022, the planning history, to the pattern of development in the area, Objective 13 of the National Planning Framework, the submissions on file and to the report of the inspector, the Board considered that subject to the conditions as set out below, the proposed development would be acceptable in terms of the visual and residential amenity in the area and would enhance the public realm and represent a visual improvement to the fabric of the inner city location. The Board further considered that the proposed development would enliven and enhance the tourist offering in the Markets Area of the north inner city. 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, the Board concurred with the Planning Authority and considered that subject to the conditions attached the proposed development would not seriously injure the residential amenities of adjoining properties to the east and would be acceptable in terms of both residential and visual amenity.

Conditions

- 1 Plans and particulars
- 2 Materials and finishes
- 3 Urban Drain
- 4 As per PA C5
- 5 As per PA C6
- 6 As per PA C7
- 7 As per PA C9
- 8 As per PA C10
- 9 Archaeology condition as follows:
 - a) *The developer shall retain a licensed archaeologist to carry out the archaeological requirements of the planning authority.*
 - b) *No construction or site preparation work may be carried out on the site until all archaeological requirements of the planning authority are complied with.*
 - c) *The project shall have an archaeological assessment (and impact assessment) of the proposed development, including all temporary and enabling works, geotechnical investigations, e.g. boreholes, engineering test pits, etc., carried out for this site as soon as possible and before any site clearance /construction work commences.*
 - d) *An archaeological method statement for impact mitigation including temporary and enabling works shall be agreed in advance with the planning authority.*
 - e) *Where impact is unavoidable, all in-situ features, including post medieval, must be fully recorded prior to removal by hand excavation (unless methodology otherwise agreed).*
 - f) *Once archaeological layers have been exposed, the ground shall be reduced as an archaeological exercise using archaeological hand excavation techniques. In the event of in situ articulated human remains or other*

significant archaeological deposits being located during the course of this work, the archaeologist retained by the developer shall immediately notify the planning authority and The National Monuments Service. Should such archaeological features be of great significance their preservation in suit shall be required. This may negate, or curtail, aspects of the development.

- g) The ground shall be reduced to the base of the archaeological deposits.*
- h) A finds-retrieval strategy shall be developed by the licensed archaeologist and submitted for agreement with The National Monuments Service and the planning authority.*
- i) The developer shall fund the post-excavation work and sufficient resources allocated to ensure that correct archaeological procedures are adhered to.*
- j) The developer shall fund the public dissemination of the findings of archaeological investigations and excavations.*
- k) A written and digital report (on compact disc) containing the results of the archaeological excavation and post-excavation shall be submitted on completion to this office and to The National Monuments Service.*
- l) Following submission of the Final Report to the planning authority, the archaeological paper archive shall be compiled in accordance with the procedures detailed in the Dublin city archaeological Archive Guidelines (2008 Dublin City Council) and lodged with the Dublin City Library and Archive, Pearse Street, Dublin or with another appropriate repository to be otherwise agreed with the planning authority within 2 years of excavation completion.*

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 Landscaping Condition to tie to submitted landscape strategy

11 Roof plant exclusion condition

12 CMP

- 13 C& D Waste Condition
- 14 Waste Management Plan
- 15 As per PA C21
- 16 Section 48 Unspecified
- 17 Section 49 Unspecified

Board Member

Date: 01/11/2018

Paul Hyde