



An
Bord
Pleanála

Board Direction
BD-002212-19
ABP-301937-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/01/2019.

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 town centre zoning objective contained in the current Dungarvan Town Council Plan 2012-2018, which seeks to provide for an integrated mix of residential, commercial, community and social uses within the town or village centre, it is considered that the proposed development, subject to the conditions set out below, would not seriously detract from the integrity of the protected structure or character of the area, would not seriously injure the visual amenities of the area or property in the vicinity, would not be prejudicial to public health and would generally be acceptable in terms of pedestrian and traffic safety. 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, as amended by the

further plans and particulars submitted on the 25th April 2018, 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 the 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. Vehicular access and parking arrangements shall be as indicated on Dwg. No. PP11 Rev FI, submitted to the planning authority 25th April 2018.

Reason: In the interest of clarity.

3. Prior to the commencement of development, details of all materials, colours and textures of all external finishes shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of orderly development and visual amenity.

4. A full architectural survey of buildings proposed for demolition shall be carried out, and shall be submitted to the planning authority prior to commencement of development. Archive standard drawings and a photographic survey shall be prepared in accordance with the requirements of the planning authority and one copy of these shall be submitted to the planning authority, and a further copy shall be submitted to the Irish Architectural Archive.

Reason: In order to facilitate the conservation, preservation and/or

recording of the architectural heritage of the site

5. (a) A conservation architect shall be employed to manage, monitor and implement the works on the site 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 Arts, Heritage and the Gaeltacht in 2011. 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, features (including cornices and ceiling mouldings) staircases including balusters, handrail and skirting boards, shall be protected during the course of refurbishment.

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

6. The primary function of the restaurant shall be for the sale of food, meals and refreshments for consumption on the premises and the unit shall not be used exclusively as a public house.

Reason: In the interest of preserving the amenities of the area

7. Signs shall be restricted to signage comprising individually mounted lettering as indicated on DWG PP-04 submitted to the planning authority on 25th April 2018.

Reason: To protect the visual amenities of the area.

8. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission, other than the signage agreed under condition No. 7.

Reason: To protect the visual amenities of the area.

9. No fans, louvres, ducts or other external plant shall be installed without the prior written agreement of the planning authority.

Reason: In the interest of public health.

10. 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.

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 integrated construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

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

12. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that 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,
 - (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
 - (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

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 site and to secure the preservation and protection of any remains that may exist within the site.

Board Member

Date: 23/01/2019

Michelle Fagan