



An
Bord
Pleanála

Board Direction
BD-002018-18
ABP-302085-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 20/12/2018.

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 zoning provisions contained in the Dublin City Development Plan which seeks to protect the existing architectural and civic design character of the subject site and its surroundings, it is considered that the proposed development which involves the refurbishment and reuse of existing protected structures fronting onto Hume Street together with the layout, form, mass, height and material finishes associated with the proposed four-storey office development to the rear, the proposed development would not seriously injure the residential amenities or property in the vicinity, and would not adversely affect the character and setting of the Protected Structures and would not be prejudicial to public health and will be generally acceptable in terms of pedestrian and traffic safety and would otherwise be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained and carried out and completed (as applicable) in accordance with the plans and particulars lodged with the application as amended by the information received by the planning authority on the 23rd day of May, 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 commencement of development and the development shall be carried out and completed in accordance with the agreement particulars.

Reason: In the interest of clarity.

2. 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.

3. Details of the proposed materials, textures and colours of all proposed external finishes including details of the durability and weathering capacities of such materials shall be submitted to and agreed in writing with the planning authority prior to commencement of construction. A panel displaying samples shall be displayed on site following demolition and site clearance.

Reason: In the interest of clarity and the visual amenities of the area.

4. The restaurant shall be for the sale of food and meals for consumption on the premises. Any subsequent change of use including use for take-away food or for the sale of hot food for consumption off the premises shall be the subject of a separate planning application for permission.

Reason: In the interest of orderly development and to allow the Planning Authority to assess any such change of use through the statutory planning process.

5. 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.

Reason: In the interest of sustainable waste management.

6. As per Retail Ad 3

7. A plan containing details for the management of waste (and in particular recyclable materials) within the development including the provision of facilities for storage, separation and collection of the waste and in particular recyclable materials for the on-going operation of these facilities shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. Thereafter the waste shall be managed in accordance with the agreed plan.

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

8. Site development and construction works shall be confined to the hours of 0700 to 1800 hours Mondays to Fridays excluding bank holidays and 0800 hours to 1400 hours on Saturdays and not at all on Sundays. Deviation from these times will be only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In the interest of amenity and clarity.

9. The following shall be agreed in writing with the planning authority prior to the commencement of development.

(a) Details of the appointment of a contractor and a construction management transport plan shall be submitted to the planning authority for written agreement. This plan shall provide details of the intended construction practice for development including traffic management, hours of working, noise management measures and off-site disposal of construction and demolition waste.

(b) Details of traffic management on and off the site via Bell's Lane.

(c) Details of all car parking space contracts. Car parking spaces shall be permanently allocated to the proposed uses and shall not be sold, rented or otherwise sublet or leased to other parties.

(d) Details of all cycle parking on the subject site.

(e) Details regarding the implementation of the measures outlined in the mobile management plan submitted with the application. A mobility manager for the overall scheme shall be appointed to oversee and co-ordinate the preparation of individual plans.

Reason: In the interest of orderly development.

10. As per PA condition 13

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.

11. The developer shall comply with the following conservation requirements of the planning authority.

(a) A conservation architect shall be employed to design, manage, monitor and implement the works on site and to ensure that 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 existing protected structures and façades of the said structures.

(b) All works to the protected structures shall be carried out in accordance with best conservation practice and the “Architectural Heritage Protection Guidelines for Planning Authorities” and any advice series issued by the Department in respect of architectural, heritage protection and conservation. Any repair works shall retain the maximum amount of surviving historic fabric in situ including structural elements, plasterwork (plain or decorative) and joinery. Items to be removed for repair off-site shall be recorded prior to removal catalogued and numbered to allow authentic reinstatement.

(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.

(d) All repair of the original fabric shall be scheduled and carried out by appropriately experience conservation experts of historic fabric, and reference is made in particular to the external stonework, replacement windows, brickwork, decorative plasterwork, joinery etc. Full repair and reinstatement schedules (conditions, surveys, specifications and methodologies) shall be submitted to and agreed in writing with the planning authority prior to the commencement to avoid loss or damage to the original fabric and to ensure that the character of this protected structure is not altered.

(e) Samples of materials and exemplars of site workmanship in respect of repairs and restoration to be carried out shall be submitted to and agreed in writing with the planning authority including repointing of the rear façade and any granite repairs.

(f) The applicant shall submit a schedule of repairs to all surviving historic fabric associated with the protected structures including plasterwork, joinery, doors and any flooring to the planning authority for its consent in advance of work commencing.

(g) Full details of all connections proposed between the protected structures and the glazed atrium on a scale of 1:20 shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

(h) A record of completed works including key drawings, details and selected photographs to be submitted to the local authority conservation section and to the Irish Architectural Archive.

Reason: To ensure that the integrity of the protected structures is maintained during the course of the work carried out.

12. The applicant shall carry out a pre-condition survey of all contiguous properties adjoining the subject site. This survey will include an external and internal examination of the properties subject to landowner's consent. Details of the pre-condition survey shall be submitted to the planning authority prior to any works commencing on site.

Reason: To ensure the structural integrity of adjoining structures are maintained.

13. Section 48 unspecified

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.

15. Section 49 unspecified.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission

Board Member

Date: 20/12/2018

Paul Hyde