



An
Bord
Pleanála

Board Direction
BD-003472-19
ABP-304033-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 05/07/2019.

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 location of the site within the area zoned Z4 "To provide for and improve mixed services facilities" and within Key District No 7- Rathmines, identified in the Dublin City Development Plan 2016-2022, to the layout and configuration of the existing building on the site and to the existing pattern of development in the area, it is considered that, subject to the conditions set out below, the proposed development would support the provision of tourism facilities at this location, would not seriously injure the residential amenities of property in the vicinity or the visual amenities of the area, would not set an undesirable precedent for similar development and would 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, 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. All proposed works to the existing building shall be carried out under the supervision of a qualified professional with specialised conservation expertise.

Reason: To ensure the authentic preservation of the facade and to ensure that works are carried out with best conservation practice.

3. The operators of the café / restaurant premises shall control odour emissions for the café / restaurant in accordance with details and measures to be submitted and agreed in writing with the Planning Authority prior to the commencement of development.

Reason: In the interest of public health and to protect the amenities of the area.

4. Water supply and drainage arrangements, including the disposal and attenuation of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health

5. The serviced short stay tourist accommodation suites and studios shall be used as commercial short-term accommodation with a maximum letting period of two months and shall not be used as residential units for permanent occupation without a prior grant of permission for change of use.

Reason: In the interest of clarity.

6. No signage, advertising structures/advertisements, security shutters or other projecting elements, including flagpoles, shall be erected within the site unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

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

Reason: In the interest of visual amenity.

8. Hours of construction shall be confined to the hours of 0700 and 1900 Mondays to Fridays excluding bank holidays and 0800 hrs and 1400 hrs on Saturdays only. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In the interest of the residential amenities of the area.

9. 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, "*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.

Reason: In the interests of sustainable waste management.

10. A plan containing details for the management of within the development, including the provision of facilities for the storage, separation and collection of the waste and recyclable materials and for the ongoing operation of these facilities for each suite and studio shall be submitted to, and agreed in writing with, the planning authority prior to commencement

of development. Thereafter, the waste shall be managed in accordance with the agreed plan which shall provide for screened communal bin stores, the locations and designs of which shall be included in the details to be submitted.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage

11. 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. 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 An Bord Pleanála to determine the proper application of the terms of the Scheme.

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: 05/07/2019

Terry Prendergast