



An
Bord
Pleanála

Board Direction
BD-003909-19
ABP-304551-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 29/08/2019.

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 Dublin City Development Plan, 2016-2022 according to which the areas within the site are subject to the zoning objective: *Z4: To provide for and improve mixed service facilities,*” according to which residential development is among the uses which are permissible”;
- The National Planning Framework issued by the Department of Housing Planning and Local Government. in February 2018 in accordance to which new residential development in cities should be directed into locations within the existing built up service areas;
- The guidance and standards within, “*Sustainable Urban Housing: Design Standards for New Apartments: Guidelines for Planning Authorities*, DOCLG, March 2018.”;
- The location on under-utilised land within a well serviced, inner suburban area in close proximity to the city centre, public transport facilities, and a wide range of services, amenities and facilities;

- The established pattern and character of existing development in the area;
- The design, form, height, materials and external finishes for the building, the internal layout of the proposed residential units and private open space provision.

It is considered that subject to compliance with the conditions set out below, the proposed development would accord with national strategic policy and local development policies and objectives for the area, would not seriously injure the integrity, setting and character of the protected structure and the surrounding protected structures, or the visual and residential amenities of the area, would not adversely affect the development potential of adjoining lands 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, as amended by the further plans and particulars submitted on 3rd April, 2019, 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 proposed development shall be carried out under the direction of an architect with specialist expertise in historic building conservation and in accordance with the recommendations within: *Architectural Heritage Protection: Guidelines for Planning Authorities* issued by The Department of the Environment, Heritage and Local Government in 2005.

Reason: To ensure appropriate building conservation practice the interest of the protection of the integrity of the structure.

3. Details of the following shall be submitted to and agreed in writing with the planning authority prior to the commencement of the development
 - Materials, colours and textures of all the external finishes.
 - External lighting through the development.

Reason: In the interests of visual and residential amenities.

4. Proposals for a naming and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs, and numbers shall be provided in accordance with the agreed scheme.

Reason: In the interest of amenity and the proper planning and sustainable development of the area.

5. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

6. 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

7. No additional development, such as air handling equipment, storage tanks, ducts or external plant, or telecommunication antennas, shall be erected at roof level other than those shown on the plans lodged with the application. All equipment such as extraction ventilation systems and refrigerator condenser units shall be insulated and positioned so as not to cause noise, odour or nuisance at sensitive locations.

Reason: In the interests of visual and residential amenities.

8. Arrangements for demolition and clearance of the site and for construction of the development shall be managed in accordance with a Demolition, Waste and Construction Management Plan which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development:

Reason: In the interests of clarity, amenities and public health and safety and sustainable development.

9. Hours of work shall be confined to 0700 to 1900 Mondays to Fridays inclusive, excluding bank holidays and 0800 to 1400 hours on Saturdays. Deviation from these times will only be allowed in exceptional circumstances subject to the prior written agreement of the planning authority.

Reason: In the interest of residential amenities of surrounding properties and clarity.

10. Landscaping, planting and boundary treatment, and external communal amenity space provision shall be fully implemented within the first planting season following completion of construction.

Reason: In the interests of the visual amenities of the area and orderly and sustainable development.

11. 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.

12. 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: 29/08/2019

Michelle Fagan