



An
Bord
Pleanála

Board Direction
BD-004295-19
ABP-304863-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/10/2019.

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 No 5 Herbert Street, a protected structure, within an area subject to the zoning objective, Z8 *to protect the existing architectural and civic design character, and to allow only for limited expansion consistent with conservation objective*, to the location of No 5 Herbert Lane which is within the curtilage of No 5 Herbert Street but in an area subject to the zoning objective, Z1: *to protect, provide and improve residential amenities*, within the Dublin City Development Plan, 2016-2022 and to the provisions Section 14.6 of the Development Plan providing for consideration, on their own merits of proposals for extensions and improvements accommodating non-conforming uses, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of properties in the vicinity on Herbert Lane, and would not adversely affect the historic fabric, integrity and character of No 5 Herbert Street, a protected structure, including features of special interest within the curtilage and 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 application as amended by the further plans and, lodged with the planning authority 16th May, 2019, except as may otherwise be required 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 and who, prior to the commencement of the development, shall be submit and agree in writing with the planning authority the following requirements:
 - (a) Full details of all ventilation and duct work, fire upgrading work and service runs with continuous routing being used as a means of prevention of leakage and damage to historic fabric in concealed areas. Details shall include associated necessary opening works to facilitate routes. The design and implementation of the servicing shall be carried out under the direction of a competent person with specialist expertise in servicing of historic buildings.
 - (b) Methodology for cleaning and removal of ivy and other vegetation, refurbishment, repair and maintenance of all external and internal fabric, fixtures, fittings and features.
 - (c) All existing original features, internal and external, shall be protected prior to and throughout the duration of the construction stage.

(d) All works shall be implemented and completed under the direction of the architect with specialist expertise in historic building conservation in accordance with best conservation practice. Repairs to fabric shall be carried out by specialist historic fabric conservators and craftsmen.

Reason: In the interest of clarity, and to ensure the protection of the historic fabric, character, integrity and special interest of the existing house at No 5 Herbert Street, a protected structure and all historic features of the special interest within its curtilage.

4. Drainage arrangements, including the 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.

5. The 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.

Reason: To protect the visual amenities of the area.

6. Details of materials, colours and textures of all external finishes which shall include the provision of samples for the proposed new roof for the mews at No 5 Herbert Lane 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.

7. Hours of construction shall be confined to the hours of 0800 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.

8. 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.

Board Member

Date: 17/10/2019

Maria FitzGerald