



An
Bord
Pleanála

Board Direction
BD-008623-21
ABP-308794-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/06/2021.

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 nature, form, scale and design of the proposed development within a residentially zoned area in the Dun Laoghaire-Rathdown County Development Plan, 2016 to 2022, and to the Protected Structure status of 36 Booterstown Avenue within a candidate Architectural Conservation Area (cACA), it is considered that the proposed development would not seriously injure the residential and visual amenities of the area, would not adversely affect the setting and character of the Protected Structure within the cACA and would not pose a risk to 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 12th day of October 2020, 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. A schedule and appropriate samples of all materials to be used in the external treatment of the development shall be submitted to and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure an appropriate standard of development/conservation.

3. All works to the protected structure, shall be carried out under the supervision of a qualified professional with specialised conservation expertise.

Reason: To secure the authentic preservation of this protected structure and to ensure that the proposed works are carried out in accordance with best conservation practice.

4. The developer shall comply with the following requirements in relation to the proposed restoration of the protected structure, which shall be carried out in accordance with the document: "Architectural Heritage Protection – Guidelines for Planning Authorities" (Department of Arts, Heritage and the Gaeltacht, 2011):

(a) any work to the exterior façade shall be undertaken so that it matches the original existing wall finish and shall be in accordance with current Conservation Guidelines issued by the Department of Arts, Heritage and the Gaeltacht,

(b) the existing roof slates, chimney stacks and pots shall be retained, any replacement roof slates shall match the existing,

(c) where possible the remaining rainwater goods and bargeboard shall be repaired and reused, the replacement rainwater goods and bargeboard shall match the original in terms of design and materials,

(d) replacement windows shall be modelled on surviving windows and shall match them in dimensions, opening mechanism, profiles and materials;

Detailed elevation drawings to a scale of not less than 1:50, showings these amendments, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In order to ensure an appropriate standard of restoration works for this protected structure.

5. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of 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. Details for the proposed entrance and the footpath treatment, which shall be dished at the road junction, shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.

Reason: In the interest of pedestrian safety.

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 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.

9. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

10. Prior to commencement of development, the developer shall enter into water and/or waste water connection agreement(s) with Irish Water.

Reason: In the interest of public health.

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

Maria FitzGerald
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Date: 28/06/2021

