



An
Bord
Pleanála

Board Direction
BD-008184-21
ABP-308870-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 13/05/2021.

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 planning history for the site, to the Dublin City Development Plan 2016-2022, according to which the site is within an area subject to the zoning objective Z5 "*to consolidate and facilitate the development of the central area and to identify reinforce, strengthen, and protect its civic design character and dignity*", to the established range of land uses and the architectural character within the street network in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the development plan objectives for the site, would not seriously injure the integrity and setting of the protected structure or the visual amenities or architectural character of the Architectural Conservation Area within which the site is located, 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 plans and particulars lodged with the application as amended by the further plans and particulars lodged with the planning authority on 22nd 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. The applicant shall provide for and shall submit and agree in writing with the planning authority the following requirements.
 - (a) The Bi-folding windows shall be omitted and replaced with the sash windows as detailed as Option 2 on Drawing No.CH2-P-151.4 P2.
 - (b) a record of all surviving historic fabric to be repaired/fire upgraded/refurbished and retained to include doors, architraves, windows and linings, plaster ceilings and cornices, timber floorboards and other floor finishes and all other historic fabric.
 - (c) Details of the range and extent of repointing/cleaning/repair works to brick and stonework on facades.
 - (d) Details of the extant historic floor finishes at ground floor, and proposed floor finishes.
 - (e) Details of historic features of interest encountered during the works and facilitate an inspection by the planning authority if as required.
 - (f) Details including samples for colours and materiality of the new roofscape illustrated on Drawing No CH2-P-134/P2.

- (g) Details including samples of signage and colours for all shopfronts, awning boxes and awning fabrics.
- (h) Details to include, materials, colours and finishes for metal doors and new metal canopy over the Exchequer Street entrance (Drawing No.CH2-P-151/P2).
- (i) Details for the junctions of the proposed new frontage at N., 12 Dame Court with the existing buildings and No. 13 Dame Court.
- (j) Details of proposals arrangements for retention of the historic separating/party walls and back walls, using nibs and downstands to ensure the historic floor plan is articulated and retained in essence, between Nos. 14 and 15 South Great Georges Street at ground floor level.
- (k) Details of openings within new corridors connecting through historic party walls which shall be articulated to reflect the passing through the different buildings (nibs/downstands).

Reason: To ensure that the integrity of this protected structure is maintained with works being carried out in accordance with best historic building conservation practice.

3. The applicant shall comply with the following requirements to the satisfaction of the planning authority:
 - (a) 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.
 - (b) All permitted works shall be designed to cause minimum interference to the retained building and facades structure and/or surviving historic fabric and shall be carried by experienced conservators to the highest conservation standards and historic fabric shall be protected throughout

the construction stage. Fabric for repair off site shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.

Reason: In the interest of clarity and best historic building conservation practice.

4. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which 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 relating to the proposed development, and

(b) employ a suitably qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:

-the nature and location of archaeological material on the site, and

-the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements including, if necessary, archaeological excavation, prior to commencement of construction works.

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 area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

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, "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 interest of sustainable waste management.

6. 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 protection of the amenities of the area

7. Details of materials, colours and textures of all external finishes which shall include the provision of samples for the proposed new roof 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. Standard Irish Water

9. 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.

10. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.

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

11. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001 (as amended), no additional development shall take place above roof level, including lift motors, air handling equipment, storage tanks, ducts or other external plant or the erection of telecommunications equipment other than those already shown on the drawings submitted with the application, unless authorised by a prior grant of planning permission.

Reason: In order to protect the residential amenities of property in the vicinity and the visual amenities of the area.

12. Details of the proposed signage, size, materials, method of illumination if any proposed, shall be submitted to the planning authority for their written agreement prior to commencement of development. Any additional signage shall be the subject of a separate planning application.

Reason: In the interest of visual amenity and residential amenities.

13. Prior to the commencement of the development, fully detailed Servicing Management Plan shall be submitted to and agreed in writing with the planning authority. The implementation of the measures provided for in the plan shall be managed, monitored and reviewed by the operator of the development.

Reason: In the interest of pedestrian and vehicular safety and convenience

15. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including details of:

- Location of the site and materials compound.

- Location of areas for construction site offices and staff facilities.
- Site security fencing and hoardings.
- Timing and routing of construction traffic to and from the construction site and associated directional signage.
- Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network.
- Mitigation measures for noise, dust and vibration, and monitoring of such levels.
- Containment of all construction-related fuel and oil and,
- Arrangements for storage and removal of construction and demolition waste and measures for management of surface water run-off.

Arrangements to ensure that during the construction and demolition phases, works are in accordance the standards in, British Standard 5228 *'Noise Control on Construction and Open Sites, Part 1. Code of practice for basic information and procedures for noise control.'*

Arrangements for management of demolition and construction stage impacts on pedestrian facilities and circulation on Dame Court.

A monitoring system and record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

Reason: In the interest of orderly development, public amenity and safety, and the proper planning and sustainable development of the area.

15. The developer shall pay to the planning authority a financial contribution in respect of The LUAS Cross City Scheme in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 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. The application of any indexation required by this condition 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.

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.

16. 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

Terry Prendergast

Date: 17/05/2021

Terry Prendergast

