

An  
Bord  
Pleanála

**Board Direction**  
**BD-014648-23**  
**ABP-315178-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 21/11/2023.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000. The Board also decided, based on the Reasons and Considerations set out below and in the attached copy of the Inspector's report, that the planning authority be directed, as follows:

**AMEND** Condition 2 (a)i as follows;

The chimney above the ceiling at first floor level shall be retained and the grant of permission permits the removal of the internal chimney below this level. As part of its removal the internal works shall provide for traces of the previous existence of the internal chimney to be incorporated (e.g., dropped beams, supporting steelwork) and the applicant shall submit architectural conservation details which comply with these requirements for the written approval of the Planning Authority prior to commencement of development.

**AMEND** Condition 2 (a)ii as follows;

The shopfront shall be removed and the front elevation shall be constructed as indicated in the drawings submitted to the planning authority. The works shall be carried out in accordance with best conservation practice and the Architectural Heritage Protection Guidelines for Planning Authorities (2011) and Advice Series issued by the Department of Housing, Local Government and Heritage and the works shall retain the maximum amount of surviving historic fabric in situ and that the architectural detailing and materials in the new work shall be executed to the highest

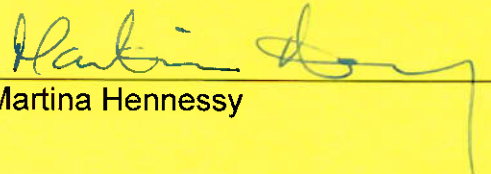
standards so as to complement the setting of the protected structure and the historic area. details to comply with these requirements for the written approval of the Planning Authority prior to commencement of development.

**Reason:** In order to protect the character and integrity of the Protected Structure at 78 Aughrim Street and to ensure that the proposed works are carried out in accordance with best conservation practice.

### **Reasons and Considerations**

Having regard to the nature and scale of the proposed development, the matters raised in the grounds of appeal, the history of the building including its planning history, the zoning provisions of the current Development Plan, the provisions as stated in the Architectural Heritage Protection Guidelines for Planning Authorities (Department of Arts, Heritage and the Gaeltacht, 2011), the proposal to restore the structure to its original use and external appearance and to maintain the structure and also that the desired practice to prolong the life of a protected structure is to keep it in active use, ideally in its original use it is considered subject to the amended conditions as set out that the proposed development accords with the proper planning and sustainable development of the area.

**Board Member:**

  
Martina Hennessy

**Date:** 22/11/2023