

An
Bord
Pleanála

Board Direction
BD-016061-24
ABP-317750-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/04/2024.

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:

- (1) the zoning of the site under Z8 Georgian Conservation Area with the objective 'To protect the existing architectural and civic design character, and to allow only for limited expansion consistent with the conservation objective.'
- (2) planning policies and objectives under the Dublin City Development Plan 2022-2028,
- (3) the nature and design of the alterations, with consideration of the protected structure status of the property (RPS no. 3101), and
- (4) the existing pattern of development in the vicinity, with consideration of the conservation status of the area,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously, or disproportionately, injure the amenities of the area or of property in the vicinity, would otherwise be sensitive to the protected structure status of the property and conservation status of the area, and therefore, be in accordance with the proper planning and sustainable development of the area.

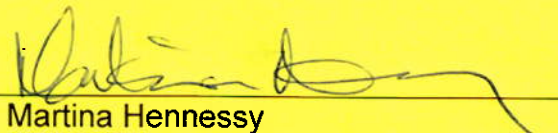
Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the Further Information received on 16/06/23, 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, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The following requirements of the Planning Authority's Conservation Section shall be fully complied with in the proposed development:</p> <p>a) The applicant shall submit the following architectural conservation details/revisions for the written approval of the Planning Authority prior to the commencement of development:</p> <p>i) Revised 1:20 drawings of the proposed windows to all elevations demonstrating a finish appropriate to the structure's early nineteenth-century date.</p> <p>ii) Confirmation of the proposed paving to the rear garden.</p> <p>iii) 1A drawn survey at a scale of 1:50 accompanied by a photographic record of the historic rear boundary walls and a detailed schedule of repair and reinstatement works to the original walls are to be provided in advance of works commencing. A method statement for the raking out and re-pointing of the stonework and associated repair details is also to be provided.</p> <p>b) A conservation expert with proven and appropriate expertise shall be employed to design, manage, monitor and implement the works and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause</p>

	<p>minimum interference to the retained fabric and the curtilage of the Protected Structure.</p> <p>c) The proposed development shall be carried out in accordance with the following:</p> <p>i) All works to the structure 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. Any repair works shall retain the maximum amount of surviving historic fabric in situ. Items to be removed for repair off-site shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.</p> <p>ii) All existing original features, in the vicinity of the works shall be protected during the course of the refurbishment works. iii) All repair of original fabric shall be scheduled and carried out by appropriately experienced conservators of historic fabric.</p> <p>iv) 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.</p> <p>Reason: In order to protect the amenity, setting and curtilage of the Protected Structure at 13 Gardiner Street Upper and to ensure that the proposed works are carried out in accordance with best conservation practice.</p>
3.	<p>Prior to the demolition of any structures on site an asbestos survey of the buildings to be demolished must be carried out. The proposed methodology for the removal of asbestos materials and monitoring of air quality must be submitted for the written agreement of the Planning Authority.</p> <p>Reason: To ensure a satisfactory standard of development.</p>
4.	<p>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</p>

	<p>practice for the development, including noise management measures and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
5.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, 0800 to 1400 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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
6.	<p>The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developers expense.</p> <p>Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interests of orderly development.</p>
7.	<p>Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health and surface water management</p>

Board Member


Martina Hennessy

Date: 11/04/2024