

An
Bord
Pleanála

Board Direction
BD-016349-24
ABP-317760-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 10/05/2024.

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, that the planning authority be directed, as follows:

Attach condition number 5, with the exception of

Amend condition number 5(a)(ii) as follows:

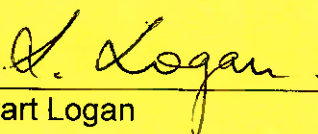
5(a)(ii) A revised marked-up drawing at a scale of 1:50 detailing what specific works, including any demolition to facilitate the construction of the apartment building, are proposed to the varied sections of the boundary wall with No. 28 Fredrick Street to the north. This should include any structural stabilisation required as a result of excavation of the foundations for the proposed structure.

Reasons and Considerations

Having regard to the site location within an established residential area, the protected structure status of the property, the surrounding pattern of development in the area, the zoning objective for the site, the nature and scale of the proposed development, it is considered that the attachment of Condition no. 5 is appropriate in

this instance, will serve to protect the amenity, setting and curtilage of the Protected Structure and ensure that the proposed works are carried out in accordance with best conservation practice. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Board Member:


Stewart Logan

Date: 17/05/2024

Note:

The Board generally agreed with the recommendation of the Inspector to attach Condition number 5 as per the decision of the planning authority.

However, the Board noted the Conservation Officer's Report of 06/09/22 and references to part-removal and part-retention of boundary walls and an overall lack of detail on the incorporation of same into the proposed development. The Board decided to amend section 5a(i) of Condition 5 to clarify that the Board considered that the works proposed do not exclude part demolition of the subject wall to facilitate the construction of the apartment building permitted under this permission.