

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Dublin City**

**Planning Register Reference Number: 2792/15**

An Bord Pleanála Reference Number: PL 29S.245939

**APPEAL** by Arranmore Management Company Limited care of Gerard Boylan of 8 Arranmore, 13/17 Pembroke Road, Dublin and by Anthony Harrison of 5 Pembroke Road, Ballsbridge, Dublin against the decision made on the 8<sup>th</sup> day of December, 2015 by Dublin City Council to grant subject to conditions a permission to Development Securities Properties Limited care of Deaton Lysaght Architects of 44 South Richmond Street, Dublin in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Development consisting of the removal of existing extensions and mews houses at side and rear, the construction of a three and four storey extension (approximately 696 square metres) at side, with balconies to side/rear, refurbishment of the existing building, and provision of 12 off-street car-parking spaces in the front drive area. The overall development will comprise 12 residential apartments; two one-bed apartments, seven two-bed apartments, two two-bed duplex apartments and one three-bed duplex apartment and all associated site works. This will reduce the number of residential units from 14 to 12, at 19 Pembroke Road, Ballsbridge, Dublin, (A Protected Structure).

## **DECISION**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **REASONS AND CONSIDERATIONS**

Having regard to the design and scale of the proposed development including the overall approach taken to architectural conservation, to the Zone Z2 'Residential Neighborhood (Conservation Areas)' land use zoning objective for the area in the current Dublin City Development Plan 2011-2017 and having regard in particular to the Protected Structure status of Number 19 (Record of Protected Structures Reference Number 6649) and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity 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 submitted on the 11<sup>th</sup> day of November 2015, 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. Revised plans and elevations showing the following modifications shall be submitted to the planning authority for written approval prior to the commencement of development:

- (a) The western side of the terrace to Unit 6 shall be screened and access to same shall be confined to the area south of the window to Unit 4.

**Reason:** In the interest of the proper planning and sustainable development of the area.

3. 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 noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and residential amenity.

4. Site development and building works shall be carried out only between the hours of 0800 to 1800 Monday to Fridays inclusive, between 0900 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.

5. The development shall comply with the following requirements:
  - (a) All works shall be carried out in accordance with best Conservation Practice and the Architectural Heritage Protection Guidelines and Advice Series issued by the Department of Arts, Heritage and the Gaeltacht in 2004. Any repair works shall retain the maximum amount of surviving historic fabric in situ including structural elements.

- (b) A Conservation Architect shall be employed to manage, monitor and implement the works on site and to ensure adequate protection of the historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the building structure and/or fabric and shall be carried out as per the submitted Conservation Methodology.
- (c)
  - (i) The developer shall confirm the scope and specification for the proposed conservation works to the interior accommodation including the repair using appropriate materials of the plan and decorative lime plasters on foot of the proposed demolitions/stripping out works.
  - (ii) Details of any proposed damp treatment/upgrading works to be confirmed as necessary with the Conservation Section on site and the developer shall submit the approved detail for written agreement of the planning authority.
  - (iii) The developer shall confirm the scope and specification of the proposed conservation works to the rear exterior including render and masonry repairs and alterations based on the site findings – a strategy for the conservation of the render to be informed by historic details surviving. Site exemplars shall be provided on site to indicate the character of the proposed render and to re-establish an overall coherent scheme to the rear.
- (d) All repair of remaining original fabric and/or reinstatement of lost features shall be carried out by suitably experienced conservators of historic fabric, heritage contractors and/or skilled craftsmen. Materials and details shall be informed by appropriate extant examples in-situ or in similar/adjacent properties.

**Reason:** To ensure that the integrity of the Protected Structure number 2 Belgrave Villas is maintained and that all works are carried out in accordance with best conservation practice.

- 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. All site development works and services shall be carried out in accordance with the Department of the Environment Publication “Recommendations for Site Developments Works for Housing Areas”.

**Reason:** In the interest of clarity and orderly development.

8. 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.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2016.**