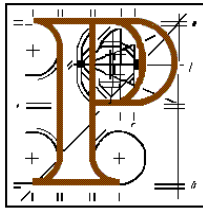


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Dublin City

Planning Register Reference Number: 2355/16

An Bord Pleanála Reference Number: PL 29S.247311

APPEAL by Fergal O'Connell of 13 Washington Street, Dublin against the decision made on the 30th day of August, 2016 by Dublin City Council to grant subject to conditions a permission to Annette Cooper, Claude Fettes and Marc Godart care of Edward Fitzgerald Selby of 32 Butterfield Grove, Rathfarnham, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Change of use of the rear ground floor return, from an existing use as a Montessori school, to use as a 67 square metres one bedroom residential apartment, 120 square metres of the rear garden are for the exclusive use of the proposed apartment, and for the repair, refurbishment and reinstatement of the first floor balcony to the front elevation. This is a protected structure. All at 6 Merrion Square North, Dublin.

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 provisions of the Dublin City Development Plan 2016-2022, to the nature and scale of the proposed development and to the pattern of development in the Z8 Georgian Conservation 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, would not detract from the character of a protected structure and would not detract from the character of a conservation area. The proposed development 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 5th day of August, 2016, 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. For the avoidance of doubt, the area subject to the change of use as shown on the submitted drawings shall be used as a residential apartment only and shall be restricted to this use unless otherwise authorised by a prior grant of planning permission.

Reason: In the interest of clarity.

3. All repair/restoration works shall be carried out in accordance with best conservation practice as detailed in the application and in the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in 2011 and be supervised by a Grade 1 RIAI qualified conservation architect (or equivalent). The repair/restoration works shall retain the maximum amount possible of surviving historic fabric in-situ including structural elements, plasterwork and joinery and shall be designed to cause minimum interference to the building structure and/or fabric.

Reason: To ensure that the integrity of the historic structure is maintained and that the structure is protected from unnecessary damage or loss of fabric.

4. 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.

5. Site development and building works shall be carried out between the hours of 07.00 to 18.00 Mondays to Fridays inclusive, between 08.00 to 14.00 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

6. 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.

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

Dated this day of 2017.