



An  
Bord  
Pleanála

## Board Order PL 15.248781

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### Planning and Development Acts 2000 to 2017

### Planning Authority: Louth County Council

### Planning Register Reference Number: 17/295

**Appeal** by Sean T. O'Reilly of Bantry House, 2/3 Jocelyn Place, Dundalk, County Louth against the decision made on the 2<sup>nd</sup> day of June, 2017 by Louth County Council to grant subject to conditions a permission to Richard and Annemarie Keogh care of P. Herr and Associates of 2 Jocelyn Place, Dundalk, County Louth in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Change of use of existing offices to (a) a language school to first and second floors with ancillary storage to third floor, (b) ancillary apartment to basement and ground floor annexe and all associated site development works. The works will include internal and external alterations to the existing structure at 2 Jocelyn Place, Dundalk, County Louth. The building is a protected structure within the Louth County Development Plan 2015-2021 Record of Protected Structures – Dundalk Reference: D226.

### 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 zoning Objective “Town Centre Mixed-Use” for the area as set out in the Dundalk and Environs Development Plan 2009-2015, and to the existing pattern of mixed use development in the area, and having regard to the nature and extent of the works proposed to the protected structure, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the relevant provisions of the Development Plan 2009-2015, would not seriously injure the amenities of the Jocelyn Place neighbourhood or of property in the vicinity, would not adversely affect the special interests for which the structure is designated for protection, and would be acceptable in terms of pedestrian and traffic safety. 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, 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. (a) The internal partitions on the third floor shall not be removed, unless determined by the planning authority as absolutely necessary to strengthen the floors and install insulation.
- (b) Details of the proposed methodology of floor strengthening and insulation installation shall be submitted to, and agreed in writing with, the planning authority, prior to commencement of development.

**Reason:** To ensure an acceptable standard for the works to the protected structure.

3. The third floor shall be used for storage purposes only, and shall not be used as a classroom.

**Reason:** In the interest of clarity and to conform to the uses as proposed in the application.

4. (a) Prior to commencement of development, the developer shall submit to, and obtain the written consent of the planning authority for, a detailed proposal for discrete signage appropriate to the character of the protected structure.
- (b) Apart from the agreed signage under condition 4 (a), and notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no further advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the building or within the curtilage of the site, unless authorised by a further grant of planning permission.

**Reason:** To protect the visual amenities and architectural heritage of the area, and to allow the planning authority to assess any such further signage or advertisements through the statutory planning process.

5. (a) An accredited Conservation Architect shall be employed by the developer to manage, monitor and implement the works on the site 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 minimum interference to the retained building and facades structure and/or fabric.
- (b) All repair works to the protected structure shall be carried out in accordance with best conservation practice as detailed in the application and in accordance with the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in 2011. The repair works shall retain the maximum amount of surviving historic fabric in situ, including structural elements, plasterwork (plain and decorative) and joinery and shall be designed to cause minimum interference to the building structure and/or fabric. Items that have to be removed for repair shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.
- (c) All existing original features, including interior and exterior fittings/features, joinery, plasterwork, features (including cornices and ceiling mouldings) staircases including balusters, handrail and skirting boards, shall be protected during the course of refurbishment.

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

6. Prior to commencement of development, the developer shall submit a detailed schedule for the repair of existing original windows and the reinstatement of inappropriate non-original windows. All windows shall be timber sliding sash windows. Details of the number of panes, glazing bars, etc. shall be appropriate to the period of the building and shall match exactly extant original window details in all respects including the profile of frames and glazing bars. Putty shall be used, not timber beading for the fixing of the glazing. The detailed dimensions and glazing bars etc. of proposed new windows shall be agreed in writing with the planning authority, prior to ordering and manufacture.

**Reason:** To protect the architectural heritage in the interests of the common good and to ensure an acceptable standard for the works to the protected structure.

7. Prior to commencement of development, the developer shall submit a full specification and detailed Conservation Method Statement, drawn up by the Conservation Architect, for all the proposed interventions and repairs to the protected structure. This shall include details of all proposed interventions into the fabric of the protected structure, including (but not exclusively) the addition of services, breathable insulation, boarding out or repairs to the original lime plaster.

**Reason:** To protect the architectural heritage in the interests of the common good and to ensure an acceptable standard for the works to the protected structure.

8. (a) An assessment of the areas requiring repointing shall be submitted to, and agreed in writing with, the planning authority no later than one year from the date of this permission, or the date of commencement of development, whichever is the sooner. This shall include a detailed method statement for any repointing.

- (b) Areas shall be repointed only where necessary to protect the fabric of the building.

**Reason:** To protect the architectural heritage in the interests of the common good and to ensure an acceptable standard for the works to the protected structure.

9. In the event that compliance with building or fire regulations require any alterations to the building which are not specified on the documents submitted with the planning application, including upgrading of doors, timber floors, or plaster ceilings, the developer shall submit details to the planning authority for its consent before such works are undertaken. If such works are, in the opinion of the planning authority, materially significant or extensive, a further application for planning permission may be required.

**Reason:** To ensure an acceptable standard for the works to the protected structure, and to allow the planning authority to assess the impact of any additional works on the protected structure.

10. Proper records must be kept of all works undertaken, which shall be included in a detailed report prepared by the Conservation Architect. These records should include archival standard photographs taken before, during and after the completion of each stage of the work; specifications; schedule of works undertaken; difficulties encountered and their resolution; modifications to Method Statements, and so forth. Two copies of the final report, including photographs and records, shall be submitted to the planning authority and one copy of the final report, together with a digital copy, shall be lodged with the Irish Architectural Archive, upon completion of the work.

**Reason:** To protect the architectural heritage in the interests of the common good and to provide for appropriate records.

