



An
Bord
Pleanála

Board Order
ABP-301253-18

Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 3072/17.

Appeal by BO Vision Capital care of IMG Planning of 75 Fitzwilliam Lane, Dublin against the decision made on the 19th day of February, 2018 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: Alterations and improvements to existing apartment number 4 occupying the ground floor, for full refurbishment/reinstatement works to existing fire damaged apartment numbers 11, 12, 13 and 14, occupying the second and third floors to enable compliance with the relevant guidelines for apartment designs and fire safety regulations in place at the time of their construction and for the full reinstatement of the existing main roof over number 37 Harcourt Street, Dublin 2 (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 nature and extent of the proposed works to the protected structure, and to the details of its architectural heritage and the impact of the works submitted with the planning application and as further information, it is considered that, subject to compliance with the conditions set out below, the proposed development would protect the special interest of the protected structure, would enhance the character of Harcourt Street, and would not result in the provision of residential accommodation of an unacceptable standard. 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 23rd day of January, 2018, 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. Prior to commencement of development, the developer shall provide for the following:-
 - (a) The appointment of a conservation expert, who shall manage, monitor and implement works on the site and ensure adequate protection of the historic fabric during those works.
 - (b) The submission of details of all finishes and of all existing original features to be retained and reused where possible, including interior and exterior fittings/features, joinery, fenestration, plasterwork, features (cornices and ceiling mouldings), roofs, staircases including balusters, handrail and skirting boards.

All repair/restoration works shall be carried out in accordance with best conservation practice as detailed in the application and the “Architectural Heritage Protection Guidelines for Planning Authorities” (Department of the Arts, Heritage and the Gaeltacht, 2011). The repair

and 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 structures is maintained and that the structures are protected from unnecessary damage or loss of fabric.

Paul Hyde

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

Dated this day of 2018.