



An  
Bord  
Pleanála

**Board Order**  
**ABP-302088-18**

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## **Planning and Development Acts 2000 to 2018**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2847/18.**

**Appeal** by Raymond Smith care of Conroy Crowe Kelly Architects and Urban Designers of 65 Merrion Square, Dublin against the decision made on the 20<sup>th</sup> day of June, 2018 by Dublin City Council to refuse permission.

**Proposed Development:** Partial demolition of an existing two-storey rear return including chimney, and the construction of an enlarged two-storey rear return extension, widening an existing ground floor rear window, internal alterations, removal and replacement of existing roof finishes, structural repair works to walls, re-rendering, landscaping and associated external works at 22 Mountpleasant Avenue Lower, Rathmines, 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 pattern of development in the vicinity, the nature, form and design of the proposed development and compliance with the provisions of the Dublin City Development Plan 2016 - 2022, in particular CHC 2 and 4 Protected Structures and Conservation Areas, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely affect the residential or visual amenity of the area or have a negative impact of the character or setting of a Protected Structure or 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 (Drawing Number 1710 PLN 120) received by An Bord Pleanála on the 17<sup>th</sup> day of July 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 submit to, and agree in writing with, the planning authority the following details:
  - (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) 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. Any replacement windows, rainwater goods, and bargeboard shall match the existing.
  - (c) The proposed roof tiles shall match the existing and the render finish to be used on the external walls shall be of a uniform colour, a sample of which shall be submitted to, and agreed in writing with, the planning authority.

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 Arts, Heritage and the Gaeltacht, 2011). 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 structures is maintained and that the structures are protected from unnecessary damage or loss of fabric.

3. Prior to commencement of development, detailed structural drawings and a construction methodology statement (including the results of detailed structural surveys of the protected structure and all building facades to be retained), indicating the means proposed to ensure the protection of the structural stability and fabric of all these retained structures (as illustrated in Drawing Number 1710 PLN 120), shall be submitted to, and agreed in writing, with the planning authority. These details shall include demonstrating the methods proposed to part dismantle and re-instate the existing rear walls and to retain other existing facades as proposed, demolition and excavation arrangements, the proposed foundation system and underpinning, structural bracing and support and method of construction.

**Reason:** In the interest of preserving the architectural integrity and heritage value of the retained structures.

4. The developer shall comply with the following requirements in relation to the proposed/restoration of the protected structure, which shall be carried out in accordance with the document: “Architectural Heritage Protection – Guidelines for Planning Authorities” (Department of Arts, Heritage and the Gaeltacht, 2011):

- (a) the replacement of any brickwork or any works of re-pointing shall be undertaken so that it matches the original existing wall finish

and shall be in accordance with current Conservation Guidelines issued by the Department of Arts, Heritage and the Gaeltacht,

- (b) the existing roof slates, chimney stacks and pots shall be retained, any replacement roof slates shall match the existing,
- (c) where possible the remaining rainwater goods and bargeboard shall be repaired and reused, the replacement rainwater goods and bargeboard shall match the original in terms of design and materials,
- (d) replacement windows shall be modelled on surviving windows and shall match them in dimensions, opening mechanism, profiles and materials.

Detailed elevation drawings to a scale of not less than 1:50, showing these amendments, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In order to ensure an appropriate standard of restoration works for this protected structure.

5. 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.

6. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 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.

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**Dave Walsh**

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

**Dated this            day of            2018.**