

An  
Bord  
Pleanála

**Board Order**  
**ABP 315194-22**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3409/22**

**Appeal** by Gerry Walsh care of SBLM Architects Ireland Limited of 19-20 The Nest, York Road, Dun Laoghaire, County Dublin against the decision made on the 1<sup>st</sup> day of November, 2022 by Dublin City Council to grant permission subject to conditions in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Permission for the renovation of the existing glazed metal fanlight over the main entrance door off Herbert Place and retention permission for development comprising of extensions, alterations and renovation of the existing part three-storey over garden level (to front), part two and four-storey over garden level (to rear) main building (facing onto Herbert Place) to include the construction of a single-storey free standing plant/meter room enclosure and sunken patio to the front, the construction of a single-storey extension to the rear including associated alterations to the rear of the existing building, internal renovation/alterations on all floors, renovation/alterations to all windows and doors, repair/conservation works at roof level including a new velux roof window and renovations and alterations to the existing two-storey coach house building to the rear (facing onto Herbert Lane) to include reinstatement of the previously removed first floor including a new stairs, replacement of the existing non-original metal roof with a new roof structure with a natural slate finish, renovation/replacement of windows and doors, installation of two new conservation type roof windows all with associated site works and services and

the change of use of the existing main building (facing onto Herbert Place) from mixed use office and storage/residential to use as a single dwelling house and of use of the existing two-storey coach house building to the rear (facing onto Herbert Lane) to remain ancillary to the use of the main building for parking and gym use all at 21 Herbert Place, (Protected Structure) Dublin.

## **Decision**

**Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to AMEND condition number 7(a)(i), 7(a)(ii), 7(a)(iii), 7(b)and 7(c) so that it shall be as follows for the reason set out.**

### **Amend Condition number 7(a)(i) as follows:**

Within three months from the date of this Order, revised plans showing the removal and relocation of the external fan coil unit out of the front garden area, to a less sensitive and inconspicuous location internally within the property or in the rear garden, shall be submitted to and agreed in writing with the planning authority. The fan coil unit shall be relocated to its approved location within one month of receiving such written approval.

### **Amend Condition number 7(a)(ii) as follows:**

Within three months from the date of this Order, revised plans showing the removal and relocation of the meter and plant room structure out of the front garden area, to a less sensitive and inconspicuous location internally within the property or in the rear garden, shall be submitted to and agreed in writing with the planning authority. The meter and plant room structure shall be relocated to its approved location within one month of receiving such written approval.

**Amend Condition number 7(a)(iii) as follows:**

Within three months from the date of this Order, a scheme for the removal of the existing mineral wool insulation and a revised specification for replacement attic insulation shall be submitted to and agreed in writing with the planning authority. Such specification shall include for a sheep wool or a cellulose insulation replacement only. The existing mineral wool insulation shall be removed and its approved replacement shall be installed within one month of receiving written approval of such scheme.

**Amend Condition number 7(b) as follows:**

Within three months from the date of this Order, a scheme demonstrating the methodology for the removal of the Optima Internal Wall Insulation system and reinstatement of the walls shall be submitted to and agreed in writing with the planning authority. Should a replacement wall insulation be required in these locations a calcium silicate board shall be used or such other material that has been previously approved in writing by the planning authority. The scheme shall indicate the methodology for installation of any such replacement wall insulation should this be required. The Optima Internal Wall Insulation shall be removed and walls reinstated or the approved alternative replacement wall insulation shall be implemented in accordance with the agreed scheme within one month of receiving such written approval.

**Amend condition number 7(c) as follows:**

Within three months from the date of this Order, a method statement shall be submitted to and agreed in writing with the planning authority for the removal of the timber panelling from the principal historic rooms (reception rooms and bedrooms). This statement shall include a methodology for the restoration and repair of the historic plaster associated with the removal of the panelling. The timber

panelling shall be removed and walls reinstated in accordance with the approved method statement within one month of receiving such written approval.

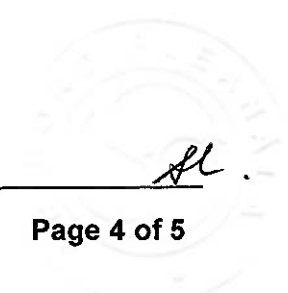
**Reason:** To ensure that the integrity of the protected structure and historic streetscape is maintained and that the proposed repair works are carried out in accordance with good conservation practice with no unauthorised or unnecessary damage or loss of building fabric.

## Reasons and Considerations

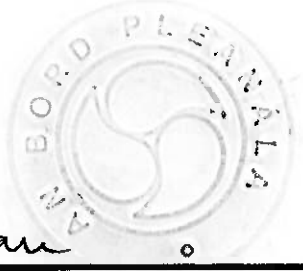
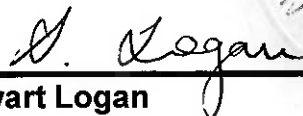
Having regard to:

- the Protected Structure status of the building subject of this appeal located within the Georgian Conservation Area as designated in the Dublin City Development Plan, 2022-2028,
- the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities (2011) and the Dublin City Development Plan 2022-2028,
- the submissions lodged with the application and appeal, and
- the condition the subject of this appeal,

it is considered that subject to the amendment of the condition the subject of the appeal as set out above, the proposed development and development proposed to be retained would not detract from the character, appearance, integrity or setting of the protected structure or the historic streetscape in which it is located and would, therefore, be in accordance with the proper planning and sustainable development of the area.



In deciding not to accept the recommendation of the Inspector in relation to conditions number 7(a)(i) and 7(a)(ii), the Board considered that the presence of the external fan coil unit and the meter and plant room structure to the front of the building would adversely affect the character and appearance of the subject property, a Protected Structure, and the Georgian Conservation Area in which it is located. Accordingly, these elements of the proposed development and development proposed to be retained are to be relocated from the front garden area to the front of the building to elsewhere on the subject site.



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**Stewart Logan**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this 19 day of December 2023**