

An  
Bord  
Pleanála

**Board Order**  
**ABP-318765-23**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3808/23.**

**Appeal** by Griosach Limited care of SCA Planning and Development Consultants of 17a Bridgecourt Office Park, Walkinstown Avenue, Dublin against the decision made on the 6<sup>th</sup> day of December, 2023 by Dublin City Council to refuse permission for the proposed development.

**Proposed Development:** Refurbishment of a pre-63 residential property accommodating eight number residential units. Retention permission is sought for demolition of non-original single storey extension (boiler house and store) to rear, internal partition walls including removal of shared kitchen and bathrooms, chimney breast at second floor, removal of kitchenettes and replacement of non-original windows to rear, removal of ceilings at second floor to create vaulted ceilings, construction of single storey residential extension to rear, garden room/store and boiler house/laundry room in rear garden, concrete floor in ground floor return, steel structure supporting rear return, roof light in main roof valley, upgrade of services throughout the building including mechanical and electrical, replumbing and fire safety works. Permission is sought for reconfiguration of ground floor to provide two number one-bedroom apartments as follows: Unit 1 comprising the amalgamated front and back rooms to accommodate kitchen/living area and bedroom with en-

suite bathroom. Unit 8 comprising the reconfigured rear return to accommodate kitchen/living area, bedroom and bathroom; refurbishment and reconfiguration of six number existing units at first and second floors including completion of four number en-suite bathrooms, removal and relocation of two number unfinished en-suite bathrooms, installation of kitchenettes, replacement of non-original front windows, back door and shed door, repair of walls, joinery, tile and timber floors, ceilings and fireplaces throughout; repair of front boundary walls, piers, gates and railings, all at 127 North Circular Road (a Protected Structure), 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.**

## **Reasons and Considerations**

Having regard to the established use and condition of the property, the design, nature and scale of the proposed development, the pattern and character of development in the vicinity, and the policies of the Dublin City Development Plan 2022-2028, as well as national guidance including the 'Architectural Heritage Protection Guidelines for Planning Authorities' (2011), and the 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities' (2018, as amended); it is considered that, subject to compliance with the conditions set out below, the proposed development would not have a significant adverse effect on the character of this Protected Structure, would not detract from the character of the area, would provide an acceptable level of residential amenity for the future occupants, would not seriously injure the amenities of adjacent residential property, would not be prejudicial to public and environmental health, and would be acceptable in terms of traffic safety and convenience. 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 information submitted on the 22<sup>nd</sup> day of September 2023 and the 10<sup>th</sup> day of November 2023, 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) A conservation expert shall be employed 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 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 must be removed for repair shall be recorded prior to removal, catalogued and numbered to allow for authentic reinstatement.

- (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.
- (d) The installation of alarms, as well as any other security or communication devices, shall be designed to protect the architectural integrity of the building.
- (e) Prior to commencement of development, details of the procedures to be followed in respect of the above, including proposals with respect to work, methodologies, services installation, doors, floors, ceilings and windows shall be submitted to, and agreed in writing with, the planning authority.

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

3. Prior to commencement of development, the developer shall submit the following architectural conservation details/revisions for the written agreement of the planning authority:

- (a) Revised drawings reinstating the original volume of the second-floor rooms, including their ceiling profiles. Methodologies, including proposed materials for all works shall be included.
- (b) Methodology for remedial works to address concerns regarding the use of a non-breathable insulated board against the historic timber rafters. This board shall be removed.
- (c) Revised drawings showing the removal of the canted bay window to the rear extension and the replacement of the uPVC fascia, gutters and downpipes to the extension with materials of a higher quality appropriate for the curtilage of a Protected Structure.
- (d) Revised drawings of the proposed sash windows to the second floor ensuring these are correctly detailed including the correct sash horns in line with best conservation practice.
- (e) Further analysis of the correct window types for both the rear elevation of the main house and the rear return shall be carried out to ensure the special architectural character of the Protected Structure is safeguarded and drawings of hardwood timber windows in an appropriate design for the protected structure shall be provided.

**Reason:** To ensure that the integrity of the protected structure is maintained and to ensure that the proposed works are carried out in accordance with best conservation practice.

- 4. Drainage requirements, including surface water collection and disposal, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health and to ensure a proper standard of development.

5. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Uisce Eireann.

**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

7. 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 the 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.

8. The communal open space areas shall be landscaped in accordance with a comprehensive scheme of landscaping, details include a timescale for implementation, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of residential and visual amenity.

9. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

**Reason:** To ensure the satisfactory completion and maintenance of the development until taken in charge.

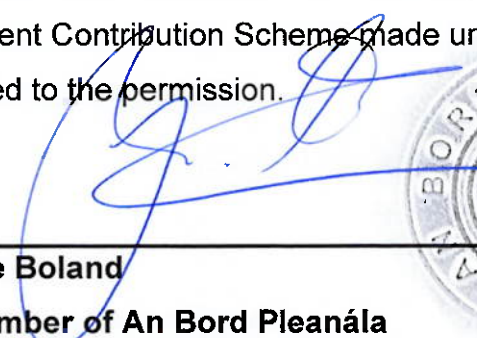
10. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

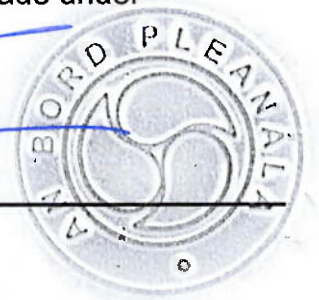


**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

11. The developer shall pay to the planning authority a financial contribution in respect of the Luas Cross City in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

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



Dated this 23<sup>rd</sup> day of July 2024.