



An
Bord
Pleanála

Board Order ABP-319065-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3731/23

Appeal by Lilian Johnson Arthur and others care of 8 Granite Terrace, Inchicore, Dublin and by Rachel and Christian Kerskens and others care of 9 Granite Terrace, Inchicore, Dublin against the decision made on the 23rd day of January, 2024 by Dublin City Council to grant subject to conditions a permission to Alan Weber care of Aoife Tuomey Architects of 24 Raymond Street, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of a single storey, light industrial building, located within stone boundary walls, with the part retention of blockwork wall forming the east boundary of the site. Removal too of a roller shutter, support beam and concrete blocks from the north boundary, stone wall. Construction of a two-storey, semi-detached, five-bedroom house, consisting of a single-family dwelling, area 152 square metres, located within the existing boundary walls. Entrance of the house is via an existing entrance ope, in the north boundary wall, from Inchicore Terrace South. Bicycle parking, bin storage and private open space to be provided within the curtilage. Works also include modifications to the east boundary wall, the maintenance, repair and restoration of the protected stone walls, the extension of the existing drainage system with additional SuDs measures and associated site works, all at Inchicore Terrace South, 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.

Reasons and Considerations

Having regard to the Z1 zoning of the site for residential development adjacent to a Residential Conservation Area and row of protected structures (RPS numbers 3290-3299) within the confines of protected boundary walls (RPS numbers 3300 and 8744), the infill nature and size of the site and the separation distances from existing dwellings, and the height, design, scale and form of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable and in accordance with the provisions of the Dublin City Development Plan 2022-2028, the Architectural Heritage Protection Guidelines for Planning Authorities and the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 received by the planning authority on the 21st day of December, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Notwithstanding the provisions of Schedule 2, Part 1 of the Planning and Development Regulations 2001, as amended, no extensions, garages, stores, offices or similar structures shall be erected within the curtilage of the proposed dwelling without a prior grant of planning permission.

Reason: In the interest of residential and visual amenity.

3. The entrance off Inchicore Terrace South shall not be gated.

Reason: In the interest of orderly development.

4. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

5. Proposals for a naming/numbering scheme for the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to occupation of the proposed dwelling.

Reason: In the interest of urban legibility.

6. Prior to commencement of development, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the proposed development, including noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

7. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

8. The proposed development shall comply with the following requirements of the Conservation Officer:

(a) Prior to commencement of development, the developer shall submit the following architectural conservation details/revisions for the written approval of the planning authority:

- (i) Site samples/exemplars for the proposed cleaning, repointing and stone repairs shall be agreed on site with the Conservation Officer prior to these works commencing.

- (ii) Specification for the cleaning of the stone wall, following agreement of a cleaning sample with the Conservation Officer.
- (b) A conservation expert with proven and appropriate expertise shall be employed to design, manage, monitor and implement the works and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all the permitted works shall be designed to cause minimum interference to the retained fabric and the curtilage of the protected structures.
- (c) The proposed development shall be carried out in accordance with the following requirements:
 - (i) All works to the structure shall be carried out in accordance with best conservation practice and the Architectural Heritage Protection Guidelines for Planning Authorities (2011) and Advice Series issued by the Department of Housing, Local Government and Heritage. Any repair works shall retain the maximum amount of surviving historic fabric in situ. Items to be removed for repair off-site shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.
 - (ii) All existing original features, in the vicinity of the works, shall be protected during the course of the refurbishment works.
 - (iii) All repair of original fabric shall be scheduled and carried out by appropriately experienced conservators of historic fabric.
 - (iv) The architectural detailing and materials in the new work shall be executed to the highest standards so as to complement the setting of the protected structure and the historic area.

Reason: In order to ensure that the proposed works are carried out in accordance with best conservation practice.

9. 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 shall be submitted to, and agreed in writing with, the planning authority.

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

10. The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: In the interest of public health.

11. Prior to commencement of development, the developer shall enter into a connection agreement with Uisce Éireann to provide for a service connection to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

12. 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.



Stephen Bohan

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *28th* day of *January* 2025.