



Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3599/24

Appeal by James Wickham of 23 Pleasants Street, Dublin and by Grantham Street Residents Association care of Niamh Moran of 8 Grantham Street, Dublin against the decision made on the 19th day of June, 2024 by Dublin City Council to grant, subject to conditions, permission to Brenda Ryan care of Geoffrey Whelan Architects, 145 Benmadigan Road, Drimnagh, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development:

(1) at number 92 Camden Street Lower:

- (a) basement level – replacement of two number existing doors to storerooms and creation of lobby (wall with door) to one of the two store rooms. Removal of existing hatch ladder behind bar and insertion of new metal spiral stair access,
- (b) at ground floor – the removal of existing modern stairs to first floor level of 92 Camden Street Lower, and replacement with building regulation compliant stairs, matching the design of the surviving original stairs at first to third floor level. Amending existing front door and lobby to allow for compliant lobby landing space, internal

102

renovations of the public house to include alterations providing access to disabled toilet from lobby rather than public seating area, removal of existing hatch and dangerous access ladder from back bar to basement cellar and replacement with safety spire stair and extension of ground floor bar counter 2.2 metres,

- (c) at first floor, second and third floors – change of use of first floor level (71.3 square metres) from public house use formally kitchen and offices associates with the public house, to residential use, provision of five bedroom residential unit of 201.4 square metres at first, second and third floors with entrance lobby and stairs and ground floor level, conversion of existing external terraced to a private open space serving residential unit at first floor, insertion of large glazed sliding door between kitchen and private open space, including a new louvered timber frame enclosure for housing services and timber decking system, to include refurbishment works at first, second and third floor levels, including creation of living, dining, kitchen, five number bedrooms, bathroom, toilet and ensuites, remodelling of existing stairs by carefully taking down all existing stairs elements and reconstructing the stairs to allow compliant alterations to be completed, enlarging existing landing window by lowering the level of the sill, restoring and expressing surviving features of dumbwaiter,
- (d) carefully taking down and repair of non-original cast iron date plaque and relocation from front elevation to side elevation to allow the restoration of historic clock to its original position on the front elevation as per historic photograph,
- (e) repairing of slated roof slopes, chimney stacks, two number gabled dormer windows and two number sash windows, provision for one glazed automatic opening vent (one square metre) over staircase, located externally on the south western slated roof slope behind the brick parapet of number 92,

- (f) replacement of aluminium windows to all elevations with historically accurate vertical sliding sash timber windows with thin double-glazing, form two number window openings in west elevation at first floor level and insert two number sliding sash windows as described above,
- (2) at number 3 Camden Row, provide a mono-pitched glazed roof to the inside face of the external walls to partially cover the outdoor seating area of the public house,
- (3) placing of photo voltaic panels to the lower and rear roof slopes of number 1 and 2 Camden Row (Protected Structures) and to the roof slopes of the Abattoir of number 3 Camden Row (non-protected structures), all existing historic abattoir equipment displayed under the abattoir roof is to be protected, retained and cleaned, relocation of existing cast iron winch to its original position and cleaning and painting of same, reinstatement of original roof overhand of Abattoir,
- (4) completion of repairs and renovation of historic and modern fabric, including repair and repointing of original brickwork at number 92 Camden Street Lower, 1, 2 and 3 Camden Row, as detailed in the Conservation Methodology statement I compliance with conservation best practice and
- (5) all associated and ancillary works.

Retention permission is sought for:

- (1) the existing natural slate roof to number 3 Camden Row. The roof covers shared the open space to the rear of number 3 Camden Row,
- (2) the food/servy area at ground floor of the rear return of number 3 Camden Row (8.4 square metres) formally Cottage number 3,
- (3) storage/plant room at first floor level to the rear return of number 3 Camden Row (nine square metres) formally Cottage number 3 and
- (4) together will all associated and ancillary works to those described above,

all at Number 92 Camden Street Lower, Dublin 2 and Numbers 1, 2 and 3 Camden Row, Dublin 8. Number 92 Camden Street Lower (RPS 1160) and Numbers 1 (RPS 1133) and 2 (RPS 1134), Camden Row are Protected Structures. There are various buildings associated with these primary structures including link building between number 92 Camden Street Lower and number 1 Camden Row, three cottages, a former abattoir and laneway.

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 zoning and the established use on site, it is considered that, subject to compliance with the conditions set out below, the provision of a residential unit on the upper floors of the public house and other improvement works would be in accordance with the zoning and character of the Protected Structures and Policy BHA11 and Policy BHA2 of the Dublin City Development Plan 2022-2028 . The proposed development 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 to refuse permission for the retention of the natural slated roof number 3 Camden Row, which covers the shared open space to rear of number 3 Camden Row, the food/bar server area at ground floor and the proposed photovoltaic panels, the Board noted that number 3 Camden Row and the abattoir are not Protected Structures or within a Conservation Area. The Board noted that the Inspector considered it to encroach in a visually unsatisfactory way but agreed with the planning authority conservation officer, who considered it was

Hoe

acceptable for retention. The Board also noted that the existing use of the space is as an open seating area associated with the public house and did not consider that covering it would seriously injure the residential amenity of properties in the vicinity, lead to a further intensification of use or increased noise impacts or impact on the legibility of the Protected Structures at number 91 and number 92 Camden Street and as such would not contravene sections 14.6, section 15.14.12 or policy BHA2 of the Dublin City Development Plan 2022-2028.

In deciding not to accept the Inspector's recommendation to refuse permission for the reinstatement of the original roof overhang to the Abattoir, the Board noted there was evidence in the file of an historic overhang, that the Abattoir, number 3 Camden Row and its associated open space are not Protected Structures, are located outside a Conservation area and that the area is in use as a seating area for the public house at number 92 Camden Street. The Board did not consider that the development would seriously injure the residential amenity of the properties in the vicinity, lead to a further intensification of use or increased noise impacts or impact on the legibility of the Protected Structures at number 91 and number 92 Camden Street and as such would not contravene sections 14.6, section 15.14.12 or policy BHA2 of the Dublin City Development Plan 2022-2028.

Hoe

Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, 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. The residential unit at first, second and third floor shall be for long-term residential use only and shall not be sold, rented or otherwise sub-let or leased to other parties unless authorised by a further grant of planning permission.

Reason: In the interest of the proper planning and sustainable development of the area.

HOC

3. The internal noise levels in the residential unit of proposed development, shall not exceed:

(a) 35 dB(A) LAeq during the period 0700 to 2300 hours, and

(b) 30 dB(A) LAeq at any other time.

A scheme of noise mitigation measures, in order to achieve these levels, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The agreed measures shall be implemented before the proposed dwelling is made available for occupation.

Reason: In the interest of residential amenity.

4. (a) Noise resulting from operations affecting nearby noise sensitive locations shall not exceed the background level by 10 dB(A) or more or exceed Environmental Protection Agency's NG4 (Guidance Note for Noise: Licence Applications, Surveys and Assessments in Relation to Scheduled Activities) limits whichever is lesser as measured from the facade of the nearest Noise sensitive locations.
- (a) Daytime (0700-1900) 55 dB LAr, T (rated noise level, equal to LAeq during a specified time interval *EPA NG4)
- (b) Evening (1900- 2300)- 50 dB LAr, T
- (c) Night-time (2300- 0700)- 45 dB LAr, T,

Clearly audible and impulsive tones at noise sensitive locations during the evening and night shall be avoided irrespective of the noise level.

When measuring the specific noise, the time (T) shall be any five 15-minute period during which the sound emission from the premises is at its maximum level.

(b) There shall be no outbreak of amplified music from any activities, at nearby noise sensitive locations.

Reason: To protect the residential amenities of property in the vicinity of the site.

5. The developer shall submit, for the written agreement of the planning authority, a Servicing Management Plan to include the proposed development and to consider the cumulative servicing requirements for number 91 Camden Street. The plan shall include layout plans clearly detailing storage areas of adequate size for bins, barrels and barriers.

Reason: In the interest of the proper planning and sustainable development of the area.

6. Five number safe and secure bicycle parking spaces at ground floor shall be provided for the residential unit within the site. Details of the layout and demarcation of these space shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

7. The developer shall submit the following architectural conservation details for the written approval of the planning authority prior to the commencement of development:
- (a) Revised reflective ceiling plans to omit the proposed installation of ceiling roses to the second floor front and rear rooms.
 - (b) A detailed method statement for ceiling repairs.
 - (c) Revised drawings showing the following:
 - (i) Omit the sanding of historic floorboards.
 - (ii) Omit under-floor heating and provide drawings for layout of space heaters/radiators.
 - (iii) Omit the second-floor front room en-suite bathroom.
 - (iv) Omit the proposed clock on the façade and retain the date plaque in its current location.
 - (v) Extent of overhang to be re-instated which shall be accompanied by evidence of the extent of the historic overhang to the Abattoir.
 - (d) A detailed method statement for the recording, protection tagging, dismantling, transportation repair, remodelling and reinstatement of the extant staircase (that is proposed to be relocated) shall be provided. Detailed drawings for the proposed spiral stairs showing interventions to historic fabric.
 - (e) Samples of brick and stone cleaning, raking and repointing and brick repairs shall be provided for the written agreement of the Conservation Office in advance of works commencing on site. The Conservation Officer shall be given the opportunity to inspect elevations once scaffold has been erected, to identify any remnants

of the original pointing technique at close quarters and to agree in writing, the most appropriate pointing technique for this structure.

- (f) A revised proposal for the remediation of the chimney stacks prepared by a conservation architect which may include the raking and repointing with a NHL 2-based lime mortar, the provision of new lime flaunching, the removal of vegetation and the provision of terracotta caps (if deemed appropriate for use).
- (g) Detailed drawings at 1:10 for the proposed historically accurate timber sash windows.
- (h) Revised internal drawings and external elevation drawings shall be revised to show all aspects of the MVHR system including the proposed location of vent grilles. The developer shall clarify if the system shall employ decentralised units. The developer shall confirm that such units are compatible for use/efficient within traditionally constructed historic buildings that are not airtight nor highly insulated.
- (i) Detailed photographs of the existing front door to the proposed residential unit and justification as to why replacement rather than repair is warranted. Detailed drawings at 1:20 shall be submitted for a historically accurate door and overlight.
- (j) Details of the proposed repair works to the plaque shall be submitted to the planning authority.

Reason: In order to protect the original fabric, character and integrity of the Protected Structure at numbers 91 and 92 Camden Street Lower, Dublin 2 and numbers 1 and 2 Camden Row, Dublin 8 and to ensure that the proposed works are carried out in accordance with the best conservation practice.

8. The developer shall comply with the following conservation requirements of the planning authority:
- (a) 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 permitted works shall be designed to cause minimum interference to the retained fabric and the curtilage of the Protected Structure.
 - (b) 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.
 - (c) All existing original features, in the vicinity of the works shall be protected during the course of the refurbishment works.
 - (d) All repair of original fabric shall be scheduled and carried out by appropriately experienced conservators of historic fabric.
 - (e) 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 protect the original fabric, character and integrity of the Protected Structure at number 92 Camden Street Lower, Dublin 2 and numbers 1 and 2 Camden Row, Dublin 8 and to ensure that the proposed works are carried out in accordance with the best conservation practice.

9. If, during the course of site works any archaeological material is discovered, the City Archaeologist shall be notified immediately. Further, it is obligatory under the National Monuments Act that the National Monuments Service, the Department of Housing, Heritage and Local Government and the National Museum of Ireland are notified.

Reason: In the interest of preserving or preserving by record archaeological material likely to be damaged or destroyed in the course of development.

10. No signage, advertising structures, advertisements, security shutters or other projecting elements, including flagpoles, (including that which is exempted development under the Planning and Development Regulations, 2001 as amended), other than those shown on the drawings submitted with the application, shall be erected or displayed on the buildings or within the curtilage of the site unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity and to protect the character of the Conservation Area and the Protected Structures at numbers 91 and 92 Camden Street and numbers 1 and 2 Camden Row.

11. Prior to commencement of works, 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 development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

12. The drainage arrangements shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.

Reason: To ensure a satisfactory standard of development.

13. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developer's expense.

Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interests of orderly development.

14. 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.

15. The developer shall pay to the planning authority a financial contribution in respect of the LUAS Cross City Scheme 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.



Marie O'Connor

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 12 day of February 2025.