

An  
Bord  
Pleanála

## Board Order ABP-321235-24

### Planning and Development Acts 2000 to 2022

**Planning Authority:** Dublin City Council

**Planning Register Reference Number:** 3828/24

**Appeal** by Aviva Ireland care of Declan Brassil and Company Limited of Lincoln House, Phoenix Street, Smithfield, Dublin against the decision made on the 17<sup>th</sup> day of October, 2024 by Dublin City Council to grant permission subject to conditions, to Tottoria Trading Limited care of Brock McClure Planning and Development Consultants of 63 York Road, Dun Laoghaire, County Dublin for the proposed development.

**Proposed Development:** The proposed development will consist of internal alterations to number 19 Leeson Street Lower and number 20 Leeson Street Lower, to facilitate the ancillary office and classroom requirements of the Institute of Education and the provision of a new four-storey extension, comprising classroom and ancillary space, to the rear of number 19 and no 20 Leeson Street Lower (number 20 being a Protected Structure), fronting Convent Place and bicycle parking to the rear of 82-85 Leeson Street Lower, accessed via Stable Lane, Leeson Street Lower. The proposal will provide nine number classrooms in total across the existing buildings at 19 and 20 Leeson Street Lower and four storey extension. To facilitate the proposed development, minor alterations to numbers 19 and 20 Leeson Street Lower are proposed, including the amendments and alterations to original and non-original building fabrics. Alterations to number 20 (Protected Structure) include the removal and alteration of external/internal staircase elements to the rear of the

building; alteration of the enclosed rear area element at basement level; new party wall opening connections at basement, ground and first floor; infill of one existing party wall opening at ground floor level; removal of non-original partitions at ground, first and second floor level; alterations to rear return layout at basement, ground and first floor level to provide office and toilet accommodation including the infill of an existing fire escape opening; removal of plant room element at return roof level and provision of a new hipped roof; break-out and provision of doors to the cross-walls at ground and first floor level; subdivision of front room at second floor level; alteration of layout at third floor level; enlargement of existing rooflight to provide AOV; cleaning and repointing of existing rear façade including the infill of a window opening, enlargement of an opening and provision of replacement timber sash windows at third floor level; re-rendering of rear return and other minor ancillary works. The proposed internal alterations to number 19 and number 20 Leeson Street will provide for: Lobby areas, a staff kitchen, student lockers, a classroom and two number toilets at basement level. A reception, classroom, break out room and two number toilets at ground floor level, two number classrooms, a breakout room and an office at first floor level. Two number offices, a classroom and a breakout room at second floor level and two number tutorial rooms and two number toilets at third floor level. The proposed new four storey extension will provide for: A classroom, four number toilets, accessible lift, stairs, link to number 19, bicycle and bin storage areas and a landscaped courtyard area to the rear of number 20 Leeson Street at ground floor level. A classroom, breakout room and three number toilets at first floor level and ancillary lift, and stairs. A classroom, lobby areas, three number toilets and ancillary lift, and stairs at second floor level. A classroom, break out space ancillary lift and stairs and three number toilets at third floor level. A link is provided connecting the proposed extension to the rear of number 19 Leeson Street Lower at ground, first and second floor level. The proposal includes for hard and soft landscaping, solar panels at roof level of number 19, bicycle parking (at 19 and 20 and at Stable Lane), platform lift to basement at front elevation of number 19, and all other associated site works and services above and below ground on an overall site area of approximately 546 square metres all at 19-20 Leeson Street Lower, Dublin and the rear of 82-85 Leeson Street Lower, Dublin (off Stable Lane). Number 20 Leeson Street is a Protected Structure (RPS 4392).

## 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 provisions of the Dublin City Development Plan 2022-2028, including the 'Z8' zoning pertaining to the site; the planning history of the site; its setting; the pattern of development in the vicinity; the nature, built form, scale, design and layout of the proposed four-storey extension; together with the extent of alterations proposed to number 20 Leeson Street Lower, a Protected Structure, it is considered that, subject to compliance with the conditions set out below, the proposed development would not detract from the special character and surviving integrity of number 20 Leeson Street Lower, as well as from the visual setting of other Protected Structures in its vicinity and the Conservation Area in which it is located. It is also considered that, having regard to the proposed uses on the application site (educational) and the adjacent established uses (both commercial adjoining to the north and residential adjoining to the south), the proposed development would not seriously injure the amenities of property in the vicinity by reasons of impact on access to daylight or sunlight, potential overlooking or overbearing impact. 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 received by the planning authority on the 20<sup>th</sup> day of September, 2024, 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 conservation expert with proven and appropriate expertise shall be employed to design, manage, monitor, and implement the works to number 20 Leeson Street Lower 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 number 20 Lesson Street Lower, a Protected Structure.

Prior to the commencement of development, the developer shall submit to, and agree in writing with, the planning authority, detailed proposals, including methodology to be employed where applicable, in relation to the following works: pointing of masonry; mortar mixes; masonry raking, cleaning, repointing and repairs.

All works to the Protected Structure and associated curtilage 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.

All existing original features, in the vicinity of the works shall be protected during the course of the refurbishment works.

All repair of original fabric shall be scheduled and carried out by appropriately experienced conservators of historic fabric.

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 and to ensure that the proposed works are carried out in accordance with best conservation practice.

3. The developer shall engage a suitably qualified licenced eligible archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authority, following consultation with the National Monuments Service, in advance of any site preparation works or groundworks, including site investigation works, site clearance or construction works. The report shall include an archaeological impact statement and mitigation strategy. Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record archaeological excavation and/or monitoring may be required. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the planning authority. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.

**Reason:** To ensure the continued preservation either in situ or by record of places, caves, sites, features or other objects of archaeological interest.



4. Details of the materials, colours, and textures of all the external finishes to the proposed development 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. 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 sustainable drainage.

6. Site development and building works shall be carried out between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

**Reason:** To safeguard the amenity of property in the vicinity.

7. No additional development shall take place above roof level, including lift motors, air handling equipment, storage tanks, ducts, or other external plant other than those shown on the drawings hereby approved, unless authorised by a prior grant of planning permission.

**Reason:** To safeguard the amenities of surrounding occupiers and the visual amenities of the area in general.

8. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for

written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

**Reason:** In the interest of reducing waste and encouraging recycling.

9. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

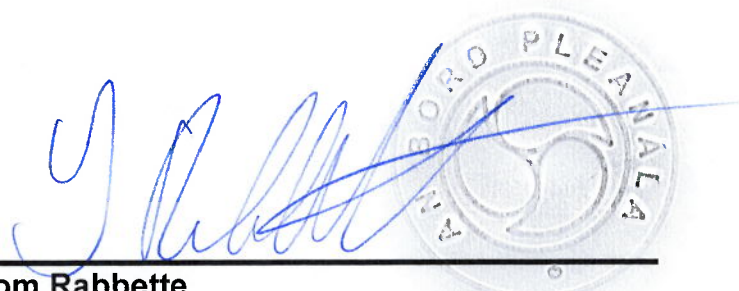
**Reason:** In the interest of sustainable transport and safety.

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 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.

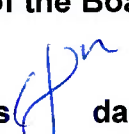

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.



**Tom Rabbette**

**Member of An Bord Pleanála**

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

**Dated this**  **day of**  **2025**