

An Bord Pleanála



Inspector's Report

PL 29S 246161

DEVELOPMENT.

External alterations and extension to include: (a) Removal of part east ground floor façade, (Waterloo Road) and entire northern ground floor façade, (Baggot Street) and replacement with new shop fronts with full height powder coat aluminium framed glazed units (13 no units). (b) Removal of main entrance and stair core and facade on east elevation (Waterloo Road from ground to fourth floor) to provide reconfigured stair core and lobby with protecting curtain wall glazing system and revolving door with retention of wall mounted ATM (c) Public realm improvements on Waterloo Road frontage to include new hard and soft landscaping and new steps disabled access ramp to front door and replacement of bollards with stainless steel bollards and, (d) a single storey detached shower room at ground floor at rear/west side and staff facilities.

at

St Martin's House, Upper Baggot Street, and Waterloo Road, Dublin 2.

PLANNING APPLICATION

Planning Authority:	Dublin City Council.
P. A. Reg. Ref.	4067/15
Applicant:	Davy Target Investments Plc.
Decision:	Grant Permission /Permission for Retention.

THIRD PARTY APPEAL	The Pembroke Road Association.
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OBSERVERS	Raglan Road Residents Association.
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Inspector	Jane Dennehy.
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Date of Inspection	1 st June, 2016.
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1.0 SITE LOCATION AND DESCRIPTION

- 1.1 The corner site at Waterloo Road and Upper Baggot Street on which St Martin's House is located which has a stated area of 4,452 square metres. The existing building is six storeys and has a mix of cafes, commercial and retail use in the ground floor units and office use of the upper floors. Vehicular access is off Flemings Place to the south and the main entrance is off Waterloo Road. The building has previously been refurbished and at present has brick faced east and north facades.
- 1.2 The area is characterised by early and late nineteenth century buildings with the exception of a cluster of commercial buildings which include St Martin's House at the southern end close to the junction with Waterloo Road. Refurbishments, upgrading works alterations and extensions to the building at Nos.27-33 Upper Baggot Street underway at the time of inspection were well advanced. (PL 243945/ P. A. Reg. Ref. 2901/14 refers.) A rubble stone wall is along the boundary between the sites.
- 1.3 Victorian two storey over semi-basement terraced houses are along both sides of Waterloo Road to the south. Flemings Place is immediately to the south side of the site and a two storey dwelling in current residential use, (a former coach or estate manager's house) faces the vehicular entrance to St. Martin's House Flemings Place.
- 1.4 On the north side of Baggot Street Upper opposite the site there are terraced brick faced Victorian buildings in retail and commercial use which include the former Baggot Street Hospital which is in use as a medical care facility. The area to the west and south west has been relatively recently developed and refurbished modern office development at Burlington Plaza of relatively recent construction which replaced 1960s and 1970s development on Burlington Road

3.0 PLANNING HISTORY

- 3.1 There are no details of a record of recent planning history relating to St. Martin's House in entirety available among the documentation on file. Permission has been granted for material alterations, signage and change of use for at the ground floor level accommodation providing for cafes, shops and independent commercial office units. (P.A. Reg. Ref. 2502/08/, 2140/13/PL 241934, 3297/13 and 2532/14 refer.)

4. DEVELOPMENT PLAN.

- 4.1 The operative development plan is the Dublin City Development Plan, 2011-2017 according to which the site location is within an area subject to the zoning objective Z6: the objective for which is "*to provide for the*

retention and protection of enterprise and facilitate opportunities for employment creation.” Lands zoned “Z6” are regarded as an important strategic land bank for employment use and policies encourage upgrading and modernisation of the office development. There is no specified restriction for commercial development on lands within the Z6 zone. The indicative plot ratio is 2.0-3.0

- 4.2 The Upper Baggot Area which is classified as District Centre, with the exception of the appeal site block and the two adjoining office blocks, is subject to the zoning objective: Z 4: *“to provide for and improve mixed services centre facilities”*. The Baggot Street frontage comes within a “Conservation Area” in which all the buildings are on the record of protected structures. According to Para 7.6.5.3 the planning authority seeks to ensure that development proposals within Conservation Areas complement the character of the area, including the setting of protected structures and complies with development standards.
- 4.3 The Waterloo Road Victorian terraced houses to the west of the Appeal site along with the Victorian houses are included on the record of protected structures is subject to the zoning objective: Z2: “Residential Conservation Area.”
- 4.4 Design guidance for shopfronts are set out in section 17.25.2 and provide for good shopfront design with a dual approach which protects traditional and original shopfronts and encourages good contemporary shopfront design.

5.0 THE PLANNING APPLICATION.

- 5.1 The application lodged with the planning authority indicates proposals for refurbishments. Details are outlined below:
 - (a) Removal of part of the ground floor eastern facade facing Waterloo Road and removal of the entire ground floor northern facade facing Baggot Street. Replacement with thirteen new shopfronts comprising full height, powder coated aluminium framed glazed units providing for a unified design response to the ground floor units. (The application does not include proposals for individual signage for each unit.)
 - (b) Removal of the main entrance and the stair core facade to the eastern elevation from ground to fourth floors (level 8.69 m to level 33.21 m) to provide a reconfigured stair core and entrance lobby with projecting curtail wall glazing system 7.964 metres in width, a new revolving entrance door at ground level a stone surround to the existing wall mounted ATM to the north side and Permission for retention of the ATM.
 - (c) Public realm improvements at ground level on Waterloo Road to include new hard and soft landscaping and new steps and a

disabled access ramp to the front entrance, replacement of existing bollards with removable stainless steel bollards.

(d) A single storey detached shower room (53.81 square metres) at ground floor level at the rear to provide shower, changing and WC staff facilities.

5.2 The total floor area will be increased by 122.50 square metres from 7,396 square metres to 7518 square metres. The stated plot ratio is 1.68:1 and site coverage is 30.5 per cent.

5.3 In the covering letter it is stated that the proposed unified approach and alterations will improve coherence at the ground floor level and the overall appearance of the building contributing positively to the area.

5.4 There is an appropriate assessment screening statement in which it is submitted that there is no need for an appropriate assessment of the proposed development.

5.5 **Third Party objections and submissions** were received from three parties in which there is objection on grounds of adverse visual impact and in which it is stated that the tenants of the ground floor units had not been notified of the proposed development.

5.6 The **internal technical reports** of the **Drainage Department and Roads and Traffic Planning Division** indicate no objection to the proposed development.

6. THE DECISION OF THE PLANNING AUTHORITY.

6.1 By Order dated 19th January, 2016 the planning authority decided to grant permission and permission for retention of the proposed development subject to ten conditions that are generally of a standard nature.

Condition No 5 excludes the display of advertisement signs structures banners canopies flags and other projecting elements without a prior grant of planning permission.

Condition No 7 contains a requirement for a compliance submission for colours materials and textures of external signage for the ground floor units.

Condition No 9 contains a requirement for a compliance submission with regard to a construction management plan.

6.2 The planning officer in his report welcomes the proposed development stating that the shopfronts will result in a harmonised response to the Baggot Street frontage referenced to the building and that the entrance

and stair core will define the main entrance and provide for a contemporary response to the elevation.

7.0 THE THIRD PARTY APPEAL.

7.1 An appeal was received from Siobhain Cuffe on behalf of the Pembroke Road Association on 15th February, 2016 and the appeal is accompanied by some photographs. According to the appeal:

- The building can be seen in the context of Waterloo Road, Upper Baggot Street and Pembroke Road. The Pembroke Estate was laid out in the early 1800s and is celebrated as exemplary mid 19th century urban residential estate. There is rich and varied streetscape formed on Upper Baggot Street by the hospital and adjoining buildings. Buildings conforming the Pembroke Estate and Georgian Dublin plot sizes with distinct rhythm and pattern with individually distinct facade and frontages on both sides of the street.
- The proposed development would create an anonymous and standalone corporate premises contributing nothing to the neighbourhood. Policy 16.1.4 of the development plan requires design to maintain important characteristics so that they are human scaled and memorable for a high standard of amenity.
- The six floor porch entrance has no precedent for the historical area. The refurbishments in St. St Stephen's Green have more modest entrances. It is not necessary for finding the building. It is conspicuous and should be low key like the entrance to the National Gallery on Clare Street and the Merrion Hotel entrance is a Georgian door.
- The six storey glass tower rises three metres above the roofline and will stand out as obtrusive in views along Waterloo Road and on approach from Pembroke Road. It has no precedent and it will block the sightline between Upper Baggot Street and the boulevard of Waterloo Road. It has a sense of a watchtower on these areas. The curtain walling shows through all levels and has no established sense of scale and proportion
- The public realm on Waterloo Road has been a footpath for forty years. The proposed development protrudes two metres out and along eight metres eroding the public space. This would set precedent. The narrower path is hazardous for disabled and an obstruction for others.
- The uniformity proposed for the shopfronts is not compatible with the individuality of the street frontage shops. Some shopfronts have been successfully refurbished. They should stand out as distinct entities with individual frontages at street level which is in keeping

with the 19th century shopfronts. The proposed development does not make a neutral contribution to the appearance and character of the conservation area because variety in shopfront design and individualistic presentation is more desirable than a unified design.

- The changes are not compatible with the established rhythm and the visual form of the Waterloo Road, Upper Baggot Street and Pembroke Road in the Pembroke district. The flat metal panel is uniform and out scale with the district. The existing facade has a sense of scale and form with formation of shadow lines echoing the features of the area.
- The revamp of the building reflects the character and shop facades opposite. The red brick and white stone facade is suitable and the window treatment harmonises with the area. Black framing echoes the black iron railings on adjacent streets and the brick panel blends with the brick on the Pembroke road and Upper Baggot Street houses. The former changes to the facade were an improvement to the original 1970s building and aligned in terms of scale proportion and materials.
- The IBM HQ at No. 30 Pembroke Road which is a renovated 1970s building is a good refurbishment project that took place following consultation with residents, particularly with regard the fenestration with the much liked in the neighbourhood. There is a welcome return to scale and proportion in this development. Vertical lines at the IBM building reflect the traditional scale of the street. A similar process of consultation could lead to a good result at St. Martin's House. Modest alterations make substantial changes and similar care and concern for the unique detail of the Pembroke District, should be given to the current proposal is required. Reference is made to section 7.2.5.4 of the development plan regarding the retention by historic villages of their significance and the promotion of these areas.

11 APPLICANT'S RESPONSE TO THE THIRD PARTY APPEAL.

11.1 A submission was received from Declan Brassil and Company on behalf of the applicant on 16th March, 2016 containing observations on the appeal by Pembroke Road Association and in which a grant of permission is requested.

11.2 According to the submission:

- There is conflict between the appellant and the applicant, planning authority and the appeal is subjective regarding architectural merits of the building, the contribution to the streetscape, the conservation area and the design.

- The existing building has no special visual interest or significance. It fails to address or contribute to the Conservation Area with its flank side on the Baggot Street Upper and entrance on Waterloo Road.
- The special character of Waterloo Road and is established by the rhythm, character and appearance of the Georgian residential terraces on both sides of the road south of the junction at Flemings Place where a definite physical break is formed. Buildings to the north side have little resemblance to them. The Pembroke Road character is similar and Eastmoreland Place and Waterloo Road mark the physical break. The external alterations make no difference to this character rhythm or appearance.
- The reference to the building as a standalone, corporate premises implies a divorce from context. The building reads as a separate entity and is physically and visually divorced from its surroundings on both streets and the alterations make no change to the status quo. It is already divorced at upper levels in the Upper Baggot Street context due to the physical gap to the side at first floor level and above and Fleming Place provides the break to the south side.
- The planning officer had regard to section 17.10.8 and 17.25.2 of the development plan. An extract from the report is reproduced in which reference is made to a harmonised response to the Baggot Street Upper frontage and a more contemporary and lighter response to the Waterloo Road facade in the reconfigured entrance and stair core.
- The roads and traffic department accepted the proposed landscaping works that narrow the footpath.
- The merits of the building and contribution to the streetscape are overstated in the appeal. The proposed development would significantly improve the appearance and contribute positively to the character of streetscape and appearance of the locality.

12 **OBSERVER SUBMISSION OF RAGLAN ROAD RESIDENTS ASSOCIATION**

12.1 An observer submission was received from James Reilly on behalf of the Association on 2nd March, 2016 in which photocopies of two images (View 1 and 2) are attached. According to the submission:

- The proposed entrance and staircase is a six storey tower that is out of proportion with the street and the area and brings in a building three metres above the roof level. This is highlighted in views submitted in an appendix. It is very apparent in View 2 but in View 1 cars conceal the extent of the extension over the footpath.

- The site location in the Z6 zone is surrounded by an area in the Z2: Residential Conservation Area zone in which there are protected structures. The Z6 zoning should not 'trump' the surrounding Z2 zoning in a disproportionate manner. The protection and improvement of the conservation area is not sufficiently taken into account in the Z6 zoning.
- There is no necessity to extend the entrance over the public footpath where it is possible to walk on either side of the bollards. Drawing 6074-PA-001 shows the extent of coverage. It is a radical alteration causing interference with one of the busiest junction for pedestrians where there is traffic on an arterial route and a controlled pedestrian crossing. The interference to pedestrians would be unacceptable. View 2 shows that the glass tower is disproportionate and it is manifest on Drawing 6074-PA-009. Drawing 6074-PA-012 south elevation shows the overreach.
- The ground floor plan Drawing 6074-PA-002 shows the extent of the reach over the footpath and steps. The site plan 6074PA-001 shows the extent into the footpath with the raised steps narrowing the thoroughfare along Waterloo Road as far as the junction.
- View 2 shows the footpath taken over the public space and the disproportionate domination of the street and junction. Figure 4 in the application, (20 November, 2015) shows the extent to which the Z6 zone is surrounded by the Z2 residential conservation area and protected structures. There is no proportionality to this area.
- The paving has been removed at the entirety of the site of Baggot Street upper where the development projects. There is uneven and patched concrete as far as the junction with Mespil Road which is in contrast to the paving opposite between Haddington Road and Eastmoreland Place. The development was completed without the paving being replaced and it should be reinstated in order to improve the public realm as far as Grants Print Shop on Upper Baggot Street.
- Mature lime and plane trees on Waterloo Road require reinstatement. Details on the drawings of existing trees on Baggot Street and Waterloo Road are inaccurate. Waterloo Road has semi and mature lime trees in View 2 and the quality of the trees on Baggot Street Upper does not reflect the significance of the street and contrast with the lime trees on Lower Baggot Street. Two trees in front of the development have failed. Semi mature planting on Baggot Street Upper should be required.
- The appeal by Pembroke Road Association is fully supported and it should be upheld and it should be taken into account if permission is granted.

13. FURTHER SUBMISSION OF PEMBROKE ROAD ASSOCIATION, THE APPELLANT

13.1 A submission was received on 12th April, 2016 in which support is expressed for the views and concerns of the Ragland Road Residents.

13.2 Complaints have been received about works to a window and risk to pedestrians below scaffolding that has been erected around the building to facilitate these works.

14. APPLICANT'S RESPONSE TO THE OBSERVATION BY THE RAGLAN ROAD RESIDENTS ASSOCIATION.

14.1 A submission was received from Declan Brassil and Company on behalf of the applicant on 29th April, 2016 containing a response to the observer submission. It is stated that many of the issues raised reiterate and re-echo the grounds of the appeal. According to the submission:

- There is conflict between the observer party, and the applicant, planning authority. The observation is subjective regarding the design merits of the proposed stair core and lobby on Waterloo Road. The existing building does not have any special visual interest or significance.
- The planning officer had regard to section 17.10.8 and 17.25.2 of the development plan. An extract is reproduced in which reference is made to a more contemporary and lighter response to the Waterloo Road facade in the reconfigured entrance and stair core.
- Pedestrian movements would not be negatively affected by the works on the Waterloo Road frontage. The Roads and Traffic Planning Division accepts the proposal although the footpath will be narrowed over a short section.
- The Waterloo Road character is established by the rhythm character and appearance of the Georgian terraces on both sides south of the junction with Flemings Place, Pembroke Lane and Waterloo Road. There is a definite visual and physical break, the buildings north of the junction having little resemblance to the area to the south. Similarly there is a change and break with the character of Pembroke Road at Eastmoreland Place and Waterloo Road. The building is already a separate entity, physically and visually divorced from the surroundings so the status quo would not be altered.

15. OBSERVATIONS OF THE PLANNING AUTHORITY

15.1 In a letter received on 23rd February, 2016 it is confirmed that the planning authority has no observations to submit on the appeal.

16. EVALUATION

- 16.1 Issues have been raised about the two main elements of the proposed development. They are (a) the replacement of the thirteen ground floor shopfronts and, (b) the reconfigured stair core and entrance lobby with the curtain walling projecting over the public footpath on Waterloo Road. Having regard to *de novo* consideration of the proposed development, there is no objection to the relocation of the ATM and shower facilities.
- 16.2 The two main elements of the proposed development that give rise to objection in the appeals are;

Replacement of the thirteen ground floor shopfronts.

The reconfigured stair core and entrance lobby with the curtain walling projection over the public footpath on Waterloo Road.

The issues that are considered central to determination a decision in relation to either one or other or both these elements of the proposed development are:

Impact on the existing building design.

Impact on the visual amenities, character and integrity of the protected structures and the residential conservation area on Waterloo Road and on Pembroke Road.

Visual Impact on the integrity of the protected structures and the character of the Baggot Street Upper Conservation Area.

Impact on the public realm on Waterloo Road.

16.3 **Replacement of the thirteen ground floor shopfronts.**

The replacement of the shopfronts it is considered will result in uniformity which will significantly improve and upgrade the design detail presentation of the building while still allowing for individuality in signage and displays for each tenant. While there is an established degree of variation in the shopfronts and signage on the historic buildings along Upper Baggot Street the commercial buildings at the south eastern end are a clearly distinct cluster with its own contemporary characteristics. The distinct uniformity to be achieved in the proposed replacement shopfronts will positively enhance and render the existing building more legible at ground floor level as a single contemporary structure. At ground floor level it is visually cluttered and lacks homogeneity and identity as a single structure at ground floor level by the range and variation of shopfronts and signage.

16.4 The proposed uniformity will clearly distinguish the building and complement the historic building frontages along Upper Baggot Street resulting in an enhancement of the visual amenities and distinct architectural characteristics of the Upper Baggot Street Conservation Area streetscape. Similarly on Waterloo Road, the uniformity and relative simplicity in the shopfront design will contribute to distinguishing existing building in its presentation onto the street frontage and enhance the orderliness and visual amenities in the immediate vicinity and positively enhance the transition (which is also a transition between two zoning objectives) in each direction towards and from the junction with Upper Baggot Street/Pembroke Road along Waterloo Road area to the south side of Flemings Place. The alterations to the wider footpath area in the eight metre long setback that are proposed should be immaterial with regard to the replacement of the shopfronts.

16.5 In view of the foregoing the concerns expressed by the third parties is to lack of compatibility with the existing historic built environment is not accepted.

16.6 The proposed reconfigured stair core and entrance lobby with the curtain walling projection over the public footpath on Waterloo Road.

This element of the proposed development is considerable in predominance as a strong feature in presenting the principle entrance. The proposed reconfigured stair core and entrance lobby with the projected curtain walling. It is almost eight metres or the equivalent of two widths and the projection forward of the façade and front building line is just less than two metres in depth. However it extends along the full height of the façade and above the parapet to the front of the existing roof top area. The existing building has at present a cylindrical shaped glazing feature over the entrance extending as far as the parapet but it is considerably narrower in width.

16.7 It is considered the overall glazed projection forward of the façade is excessively conspicuous but that it can be addressed solely by a major reduction in the height and that the width could remain unchanged. Although the site is within the distinct cluster of contemporary commercial buildings previously discussed the full height glazed projection would stand out in the vista on approach along Waterloo Road to Upper Baggot Street. It would detract from the historic buildings which close the vista due to the proximity of the full height glazing which projects above the parapet. Similarly this high projecting glazed would detract from views towards and along the Upper Baggot Street's relatively homogenous historic streetscape on approach along Pembroke Road to the junction. There is additional concern about the dominance in the height and scale and shape of the glazed feature in how it detracts from the rhythm and continuity of solid to void and absence of any projections forward of the front building line and façade

at upper floor levels which are key characteristics of the historic streetscapes.

- 16.8 Design modification is considered both possible and necessary so that the proposed development does not adversely affect the visual amenities, architectural characterises and integrity of the Upper Baggot Street Conservation Area, the area of the Residential Conservation Area and that of the protected structures within the sensitive surrounding building environment.
- 16.9 At a minimum it is considered that the glazed curtain walling element forward of the facade should not exceed the parapet height but this limited modification is insufficient. It is recommended that the glazed curtain walling forward of the façade should be confined to element be restricted to that of a double height entrance at the ground and first floors. Although the reduced height results in a more squat glazed element it would not be disproportionate in that the length of frontage of the facade onto Waterloo Road would have the capacity to accept the width. Should the modification be required, the existing element above the parapet would be retained the above parapet height views unless the applicant proposes modifications in a new application. The applicant could be required, by condition to provide a finish to match that of the top floor.
- 16.10 It is considered that concerns of the third parties should be adequately addressed by this modification. Although the omission of the upper levels of the glazed curtain walling element would be a significant modification it should be feasible through compliance with a condition in that it is a partial omission of the glazed projecting element, the other elements of the proposed development being considered acceptable
- 16.11 With regard to the proposed projection of the curtain walling over the public realm on Waterloo Road it is noted that the public footpath has a width of approximately two metres to the south and the north side either side of the area over which the projection is proposed. The existing bollards distinguish the public footpath from the additional space in front of the building in which there is public access and outdoor seating in front of cafes. While it is agreed that pedestrian traffic in the vicinity of the junction where there are pedestrian crossings is relatively heavy a two metre wide footpath is considered to be sufficient in capacity, notwithstanding the partial obstruction by the existing bus shelter. The two metre wide footpath to each side would otherwise continue uninterrupted along the outer side of the existing bollards and footprint of the glazed projecting curtain walling. The hard and soft landscaping provided for in the proposed development is considered an appropriate enhancement to the public realm.

16.12 Appropriate Assessment.

Having regard to the nature and scale of the proposed development and, the nature of the receiving environment and proximity to the nearest European site, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on European sites.

17. CONCLUSION AND RECOMMENDATION.

- 17.1 Having considered the appeals and observer submission and those of the applicant, it has been concluded that the proposed development is acceptable and that permission subject to a condition with a requirement for a reduction in the height of the proposed projecting glazed curtaining walling element and conditions of a standard nature. A draft order is set out overleaf.

DECISION

Grant Permission on the basis of the Reasons and Considerations and subject to the Conditions set out below:

REASONS AND CONSIDERATIONS

Having regard to the site location which according to the Dublin City Development Plan, 2011-2017 is an area subject to the zoning objective Z6: “to provide for the retention and protection and to facilitate opportunities for employment creation”, and to the location within a cluster of contemporary commercial buildings at the south east end of Upper Baggot Street and at the junction with the northern end of Waterloo Road it is considered that subject to compliance with the conditions set out below, the proposed development would not be seriously injurious to the visual amenities or architectural character of the adjoining Upper Baggot Street Conservation Area or the areas along Waterloo Road and Pembroke Road, which are within areas subject to the zoning objective, Z2: “residential conservation area”, would not adversely affect the integrity and setting of the protected structures in these areas individually and collectively, would be acceptable in terms of traffic and pedestrian safety and convenience, and would be in accordance with the proper planning and development for the area

CONDITIONS

1. The development shall be 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 points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The forward projecting curtain wall glazing element for the proposed reconfigured stair core and entrance lobby on the east/ Waterloo Road frontage shall be confined to a double height projecting curtain wall element. Prior to the commencement of the development the applicant shall submit details to the planning authority for agreement in writing.

Reason: To preserve the visual amenities, architectural character and integrity of the Upper Baggot Street Conservation Area, the Residential

Conservation Area along Waterloo Road and that of the protected structures within the sensitive surrounding building environment.

3. Details, of the materials, finishes and colours for all external finishes, shall be submitted to the planning authority for written agreement prior to the commencement of the development. Samples should be displayed on site include samples

Reason: In the interest of the visual amenities of the proposed development and its integration into the surrounding historic area of Upper Baggot Street, Waterloo Road and Fleming Place.

4. Details to include size, materials, textures and colours of the proposed signage at the main entrance including any lighting shall be submitted for the written agreement of the planning authority prior to the commencement of the development.

Reason: In the interest of the visual amenities of the visual amenities of the surrounding historic built environment and the residential amenities of property in the vicinity.

5. Notwithstanding the provisions of the *Planning and Development Regulations, 2001*, or any statutory provision amending or replacing them, no additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorized by a further grant of planning permission.

Reason: To protect the visual amenities of the area, and to permit the planning authority to assess any such development through the statutory planning process.

6. Site development and building works shall be carried out only between 07.00 hrs and 18.00 hrs. on Mondays to Fridays excluding bank holidays and between 08.00 and 14.00 hrs on Saturdays only. Deviation from these times will only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: in the interest of the protection of the residential amenities of properties in the vicinity.

7. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, without a prior grant of planning permission.

Reason: In the interest of the visual amenities of the area.

Reason: To provide for the future maintenance of this private development in the interest of visual amenity.

9. Drainage arrangements, including the disposal of surface water, 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.

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. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

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

Jane Dennehy,
Senior Planning Inspector.
3rd June, 2016.