



An
Bord
Pleanála

Inspector's Report 29S 247171

Development

Demolition of extensions, construction of link building for shop use, change of use of garage structure at Pleasant's Street to shop use, continuation of shop use at ground floor of Camden street buildings. Refurbishments, alterations and repairs to Nos. 75 and 76 Camden Street and site works.

Location

75, 75A and 76 Camden Street, Dublin 2, and 41A Pleasant's Street, Dublin 8.

Planning Authority

Dublin City Council.

P. A. Reg. Ref.

3075/16.

Applicant

Janette Hurrell.

Type of Application

Permission.

Planning Authority Decision

Refuse Permission.

Appellant

First Party against Refusal

Type of Appeal

Janette Hurrell.

Date of Site Inspection

6th December, 2016.

Inspector

Jane Dennehy.

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1.0 Site Location and Description:

- 1.1. The site has a stated area of 0.668 square metres and is an assembly of properties on the west side of Lower Camden Street and south side of Pleasant's Street. No 75 Camden Street (protected structure) is a Georgian three storey building which has a double ridge roof with a central valley and, at timber sash, arched windows with arched fanlights over six panels at first floor level. A considerable amount of historic fabric dating from the eighteenth century survives at No 75 above ground floor level. A two bay three storey building constructed in the 1950s is on the plot for No 76 Camden Street and it is interlinked with No 75 at the upper levels. Previously a single storey over basement building over a basement was located on this plot and it is understood to have been an ancillary building for the orphanage which based at No 75. The two existing buildings are interconnected at the upper levels which are laid out as office space which has been unoccupied for some time.
- 1.2. A single storey extension is located at the rear which is also vacant.
- 1.3. There are three ground floor units in the Camden Street properties comprising a barber shop at 75A which is a self-contained unit, a vacant unit at No 75 and Stein Travel at No 76. There is also a separate entrance between the units at No 75 to the upper floors.
- 1.4. The two floor garage service workshop structure No 41 Pleasant's Street, constructed in the 1950s is located in most of the original rear garden/yard space at the rear of Nos 75/76 Camden Street and has frontage onto Pleasant's Street to the north and Pleasant's Place to the west which was formerly in use as a garage for sales and repairs but at ground floor space is vacant whereas two business premises are located on the upper floor which are outside the scope of the current application.

2.0 The Planning Application:

- 2.1. The application lodged with the planning authority on 9th June, 2016 indicates proposals for demolition of the single storey extensions at the rear of Nos 75 and 76 Camden Street, (38 square metres.)

- Construction of a single storey link comprising shop use connecting ground floor levels of No75 and 76 Camden Street to the ground floor of No 41A Pleasant's Street. (Class 1 Schedule 2 Part 4 PRD use) (75 square metres.)
- Continuation of shop use in ground floors at 75 and 76 Camden Street and change of use of Ground floor at No 41A Pleasant's Street to shop use (Class 1 Schedule 2 Part 4 PDR. (359 square metres.) Formation of a single shop unit with net floor area of 523 square metres with circulation lobby and link at ground, first and second floors of 75 and 76 Camden Street to 75 A Camden Street. (Gross floor area 603 square metres.)
- Refurbishment to Nos 75, 75A and 76 Camden Street: Alterations and repairs to include removal of WC extension, replacement of shopfronts, enlargement of opes in rear walls of Nos 75 and 76 to facilitate connecting link to No 41 A Pleasant's Street. Refurbishment and replacement of windows as necessary, refurbishment of office at first and second floors, creation of WC lobbies kitchenettes, alterations to partitions, Construction of a terrace on the roof link, with guard rail on southern perimeter, internal and external elevations to No 41A, hard and soft landscaping, changes in levels and servicing, excavation and development works below and above ground.

2.2. The application is accompanied by a Conservation an architectural heritage impact report, a planning and environmental report, an engineering services report and a screening report for Appropriate Assessment.

2.3. According to the written submission, the proposed development provides active ground floor use, restores the protected structure's character and form, significantly improves the shopfront, provides compatible land use and supports the street as a radial market street in the city centre.

2.4. The first floor use of the services garage workshop is to remain unaltered and does not form part of the application. The floor level in the garage service workshop is to be lowered to match the levels of the ground floor at the Camden Street properties.

2.5. **Decision:**

By order dated, 3rd August, 2016, the planning authority decided to refuse permission on the basis of the reason reproduced in full below:

The proposed development relates to a protected structure located within a conservation area. Having regard to the significant amount of demolition and intervention to the original fabric of the protected structure and the interconnection with an extant warehouse to the rear, it is considered that the proposed development would materially alter and significantly damage the character of the protected structure and would contravene section 17.10 1 of the development plan and is therefore contrary to the proper planning and sustainable development of the area.

2.6. **Planning Authority Reports:**

The report of the **Conservation Officer** notes the mid eighteenth century origins of the streetscape rear historic features of Nos 75 and 76 Camden Street buildings which are in poor condition. According to the report the application documentation is insufficient for assessment purposes and new works should seek to mitigate prior inappropriate interventions. The proposed large retail floorplate and extensive access is regarded as inappropriate for Georgian buildings for a number of reasons on the basis of which refusal of permission is recommended on these grounds and on the basis of undesirable precedent. Reference is made to appropriate projects at 104 Baggot Street Lower and 42-43 Westland Row. Reference is also made to the Living City Initiative and the feasibility of residential accommodation overhead allowing for survival and retention of historic fabric and an appropriate sire upgrading and strategy. It is recommended that permission be refused on ground of detrimental impact on the group of interconnected buildings.

- 2.7. The report of the **Drainage Division** indicates no objection subject to conditions of a standard nature.
- 2.8. The report of the **Planning Officer** indicates concern as to the scale and size of the larger unit and that units to the front on Camden Street would serve to funnel to the large space which would fail to animate and visually improve the streetscape. The proposed upper floor glazing to the façade is regarded as inappropriate and out of proportion for the street.

3.0 Planning History:

- 3.1. **P. A. Reg. Ref. 3442/15:** Permission was refused for change of use at 75B Camden Street Lower, retain shop at 75A Camden Street Lower and from light industrial at 41A Pleasant Street to retail and ancillary services at ground floor with new stairs access to upper floors, removal of internal walls at 85A and 75B and single storey infill extension to the rear of 75 and 76 Camden Street Lower connecting ground floor at 41 A Pleasant's Street. Lowering of ground floor at No 76 Camden Street. *se at upper floors and at ground floor retail use to be unchanged. The reason for refusal relates to inappropriate interventions, loss of historic fabric, severances and inappropriate interconnection with a warehouse which are inappropriate for protected structures, out of character with the historic streetscape, grain and fabric and in material contravention of Section 17.10.1 and Policy objectives FC26, 7 and 30 of the Dublin City Development Plan 2011-2017.
- 3.2. **P. A. Reg. Ref. 3543/13:** Permission was refused for change of use from retail to café/delicatessen inclusive of works to involve alteration of back elevation, insertion of new external doors and signage. The reason for refusal of permission related to the over concentration of existing restaurant and takeaway facilities and contravention of the objective under section 17.26 of the 2011-2017 to maintain an appropriate mix of uses and night-time amenities in a particular area prevents excessive concentration of takeaway use to ensure appropriateness to scale and pattern of development in the area zoned for residential use.

4.0 Development Plan:

- 4.1. The operative development plan is the Dublin City Development Plan, 2016-2022 which was brought into effect in October, 2016 after the consideration of the application and the determination of the decision by the planning authority.
- The site location is subject to the zoning objective Z1: "to protect provide for and improve residential amenities." No. 75 Camden Street Lower is included on the record or protected structures.

- The streetscape properties on both sides of Camden Street are within a Conservation Area.
- The indicative plot ratio is 0.5 - 2.0 and the indicative site coverage is 45-60 per cent. for development Z1 zones.
- Under Policy CHC1: the planning authority seeks the preservation of the built heritage of the city that makes a positive contribution to the character, appearance and quality of local streetscapes and the sustainable development of the city. Policies and objective for Protected structures are set out in section 11.1.5

5.0 The Appeal:

5.1. The Appeal:

An appeal was received from Tom Phillips and Associates on 30th August 2016. It includes several illustrations and diagrams supporting the statements are made in the appeal. Several extracts from various documents are included and are also available within the appeal submission. The appeal also contains a very comprehensive outline of the building history and development of Camden Street initially as a processional route.

- 5.2. According to the appeal, the decision should be overturned because the proposal is sensitive and appropriate for the character of the projected structure and conservation area. It will increase the vibrancy and vitality of the area in accordance with the development plan. Outstanding issues could have been addressed by additional information.
- 5.3. In so far as is reasonable, repetition has been avoided in the outline summary which follows.
- A conservation architect was appointed and the application accords with the statutory guidelines.

- References to significant demolition and intervention in the reason for refusal are not accurate. Most of the demolitions and interventions are to unsympathetic fabric and provide for reinstatement of proportions previously damaged. Fabric to be removed is external and a small area only is involved. The current proposal provides for limited demolition and interventions. Building Chronology Drawings are provided.
- The proposed scheme fully addresses the concerns in the reason for refusal of the prior application as set out in s 4.2 of the planning and environmental report. Interventions are considerably reduced and the two applications are not comparable from this perspective. The current proposal recognises the original understanding of the planform. Illustrations are provided for comparison purposes
- Demolition of the nineteenth century shed and enlargement of an opening previously made to the rear ground floor wall at No 75 is required to accommodate the extension and to provide doorways. The single storey glazed extension to be connected to 41A Pleasant's Street will have nibs to distinguish the properties. Legibility is achieved in the design approach for the new link. The glazed roof allows views to both buildings, ensuring that the separate composition is understood and that the elongated structure in the previous proposal is overcome. It is unreasonable to assume (as contended in the conservation officer report) that the proposed development will lead to incremental removal of additional structural elements in the ground floor of No 75 Lower Camden Street.
- The elongated single unit effect of the extension in the previous proposal is addressed by single storey extension design at the rear of No 75 and 76 incorporating the roof terrace at No 76. The glazed roof to the extension and doorways replacing windows at the service garage wall allows for reciprocal views and understanding of the separate buildings. Nibs, downstand beams and restored windows at the ground floor of No 75 and 76 ensures sense of place and demarcation of the original plan form. (Illustrations are provided.) A carefully considered interlinking extension has been achieved.

- The importance of the protected structure and elements within it as required under s 1710.1 of the development plan are fully addressed in the reports prepared for the application and fully acknowledged in the proposal.
- The proposal incorporates a high quality design approach to address inappropriate interventions, and provide good elevations to the street and suitability for a long term tenant. Prior to reconstruction in the 1950s of No 76 was a single storey over basement structure ancillary to the orphanage use at No 75. The development improves the appearance of the structures fitting to the conservation area designation.
- The proposed uses are permissible and can contribute positively to the area. When the dropped ceiling is removed, original windows in the rear elevation are to be reinstated and restored along with eighteenth century cornicing and the dropped ceiling removed.
- The site location is 600 metres from the Grafton Street ACA which does not apply to proposal.
- The proposed change of use at No 41A provides retail use in association with the link building which secure the future viability of the No 75 and 76 at which the small floorplates do not attract tenants.
- The large vacant ground floor in 41 Pleasant's Street can support the long-term viability of Nos 75 and 76 Camden Street if incorporated in a sensitive manner.
- There is no question of lack of amenity being left between the Camden St and Pleasant's Street properties because there is just a path and a small shadowy area at present, the space being taken up by the existing extension.
- The existing relationship between upper and lower floors and access to the upper levels is retained. The existing entrance from Camden Street is retained and a stairs and doorway can be reinstated at the rear connecting the upper floors to the extension. The upper floors are to be refurbished which although minimal will serve to improve their potential for future tenants.
- The exposure of the eighteenth-century ceiling and window openings in the ground floor shop unit will be a positive contribution to protection and legibility.

- The existing constraints do not provide any level of amenity at the rear of the Camden Street properties. Enclosure of the existing rear steps to the upper floor and ground floor access by a light glazed lobby would not encroach further into space to the south. A maintained external courtyard to the south retains legibility and the roof terrace provides outdoor amenity and more sunlight. Amenity and value of the structures is increased.
- It is not accepted that details of servicing of a retail scheme are required but there is no objection to a condition with requirement for this information.
- Amenities of adjoining properties will be unaffected and no overlooking or overshadowing can occur.
- Heavy handed irreversible interventions took place in the 1950s whereas some elements will be exposed and will continue to survive in the current proposal. The proposed additional retail space brings vibrancy to the street.
- The only change of use proposed is the change from service garage to retail at the ground floor of No 41A Pleasant's Street and it is appropriate to secure the viability of the buildings on Camden Street, particularly given the small floor plates.
- The size of the unit is not unusual as Camden Street's myriad character ranges from small to larger retail units and bar and restaurant businesses. Section 8.5 of the development plan recognises and intends to under pin the street and other streets as radial market streets. This policy objective is recognised by the inspector in his report on a lower Camden Street development under PL L242937 in relation to a proposal for change of use from retail to a café/delicatessen. On street animation of Camden Street is ensured because of the proposed main access from Camden Street.
- Although the planner in her report indicated dissatisfaction with the proposed shopfronts there is no reference to this in the reason for refusal. The existing ground floor façade has three separate shopfronts of poor quality that are not in keeping with the pattern of facades or the streetscape. The proposed design greatly augments the streetscape. With a modern, high quality design clarifying entry points and the history. If the shopfront is not considered acceptable, an alternative is proposed for consideration in which traditional

doorways are echoed, the relationship to other structures and the historic façade above is improved. The dimensions are intended to address the effect of the lowering of the *piano nobile* and emphasise the vertical while respecting scale and proportion and maintaining existing grain. The city council's shopfront design guide (2001) does not support pastiche signage and a simple yet modern and contemporary approach is appropriate. Timber and steel and back lettering no more than 40 cm is intended. Views to the interiors are provided. Signage could be addressed through compliance.

- Benefits to the community are the re-use of the buildings, a good retailing space, refurbished office space, and removal of unsympathetic shopfronts.
- An adequate conservation and architectural impact assessment report with sufficient detail as required under section 1710.1 of the development plan on the extent of proposed works was included with the application. Any further information could have been addressed through a request for additional information. It is anticipated that a condition with a requirement for a method statement would be attached. A structural engineer would be engaged before commencement to provide a thorough condition assessment and interventions would be agreed with the conservation officer. Damp treatment and thermal enhancement was not addressed in the application other than a proposal to use slim-lite double glazing to be fitted between glazing bars of historic size instead of existing non-historic glazing. Any surviving historic glazing will be retained. The heavily damaged timber sash windows are scheduled for repair and poor quality services and furnishings are to be removed.
- Issues in section 17.19.1 regarding repointing, interconnection between buildings rooflights etc. do not arise.
- Fire upgrading works are proposed comprise firebatt or similar proprietary material n between the floor joists above the ground floor necessitating lifting and reinstating the floorboards
- The proposed development is also fully compliant with the (then draft) Dt is requested that permission be granted.

5.4. **Planning Authority Observations:**

A submission was received from the planning authority on 8th September, 2016 in which it is confirmed that it was not intended to respond to the appeal and that it is considered that the planning officer report justifies the decision to refuse permission.

6.0 **Assessment:**

6.1. The issues considered central to the determination of a decision and considered below are:

Impact on historic fabric.

Impact on context and setting of historic buildings.

Land Use and strategic policy for the area.

Shop front design.

Residential Amenity.

Appropriate Assessment.

6.2. **Impact on historic fabric.**

The conservation officer's concerns as to the inadequacy of the conservation and architectural assessment report are reasonable. While reliance on visual inspection, (without opening up) at application stage is accepted, the submission lacks an itemised record for the protected structure or an itemised method statement other than an indication of a general intent to apply an appropriate conservation methodology to elements of the proposed works, for example, splicing as a means of restoration and retention of historic timbers in use.

6.3. Notwithstanding the submission of building chronology drawings there is a lack of clarity as to historic fabric and its condition and as to the extent and nature of works proposed. It would be advisable for clarification by way of preparation of a fully comprehensive submission by a specialist with expertise in building conservation, (in consultation with the conservation officer) to be sought and considered ideally prior to determination of the decision on the proposed development. Alternatively, the matter can be addressed by compliance with a condition in the event of favourable consideration of the proposed development.

6.4. It is fully acknowledged and accepted that Georgian building at No 75 Camden Street Lower has been subject to considerable prior inappropriate interventions including the lowering of the floor partly into the original basement space.

6.5. **Impact on context and setting of historic buildings.**

As pointed out in the appeal the rear open space within the historic curtilage of Nos. 75 and 76 is substantially taken up by the service garage structure at No 41A Pleasant's Street and by the existing single storey extension. Nevertheless, there is clear distinction between the structures, inclusive of the existing extensions and the services garage which at present is in a poor state. It is not accepted that the current poor condition of this space justifies development over it as opposed to restoration to provide for amenity space.

6.6. The proposed development provides for infill of almost the entire space between the structures and this in effect amalgamates all the structures subject of the application together which is a radical departure from the existing arrangement. While this proposal may ensure a viable retail development in the ground floor of the services garage structure it is not accepted that it is fully justified as shown in the proposal. The concerns of the planning officer and conservation officer and as to further undermining of the separation and identification of the protected structure as a principle independent protected structure are supported. The proposed development diminishes instead of enhancing recognition of the structures and in particular the Georgian building at No 75 as separate entities. This is attributable to the extent of site coverage of the proposed link building and openings in the existing buildings to connect and integrate the existing buildings, potentially into a single unit. This gives rise to concerns about erosion of the integrity and planform of No 75 Lower Camden Street in particular as an independent Georgian Building within the group.

6.7. It is of note that the existing site coverage overall which is well in excess of the indicative standard in the development plan would be further increased to almost one hundred per cent in the proposed development. Modifications are considered

necessary and are also discussed under Land-use and strategic policy for the area below.

6.8. Land use and strategic policy for the area.

The sole proposed change of use involved in the current application is the change to shop use at the ground floor of the disused service garage at No 41A Pleasant's Street. It allows for a large floorplate which should appeal to a wide range of prospective tenants and provide for viable land use in an existing vacant space which is consistent with the central city area. Future proposals, if any further proposals for change of use other than that which is exempt development would be subject to a further planning review.

6.9. The concerns of the planning officer as to the potential for the ground floor units of the Camden Street buildings to be undermined in that they could be reduced primarily to an access through which customers would be "funnelled" to and from Camden Street is reasonable and is supported. It is agreed that such an impact would be in conflict with the development plan policy for the encouragement and promotion of the character and viability of several streets including Camden Street as market streets. Retention of the retail unit as an independent retail unit would significantly mitigate this potential impact and ensure a greater capacity for the development to be compatible with the objective for retail in Camden Street. The argument as to the mix of unit sizes and uses in the appeal has been noted, and has been applicable larger units extending deep into the plots.

6.10. The concerns as to the impact on the Camden Street retail character and vitality along the street frontage of the integration of the two ground floor retail units via the link building with the proposed retail unit to the rear can effectively addressed through some modification to the proposed development at ground floor level. It is considered that retention of the ground floor unit at No 75 as an independent unit for retail or other suitable use and restriction of the direct access via the unit at No 76 would result in appropriate balance for access from Camden Street and protection of the vitality of ground floor use and active street frontage.

6.11. Furthermore, less intervention to the fabric at the rear of No 75 would be required in terms of the increased size of the opening. Modifications to the link building to facilitate this requirement would be limited and should not adversely affect the amenity and utility of the link building and roof terrace at the rear of No 76.

6.12. Although amalgamation and break through to adjoining buildings involving protected structures is not consistent with good conservation principles and practice, a reasonable case has been made for the retention, without further intervention of the existing interconnection at the upper floors between the historic structure at No 75 and No 76. As a result, the scope and utility of the office accommodation of the two buildings are more practicable.

6.13. It highly desirable that the historic buildings such as No 75 Lower Camden Street be considered for residential use, and that either in single or multiple occupancy should be encouraged in line with the strategic objectives for the South Georgian core of the city for which tax relief incentives through the Living City Initiative would be available. The Conservation Officers comments and recommendations to this end have been noted and are supported. However, reconsideration of the proposed development due to the lack of proposals for change of use to incorporate a residential element may be an excessive imposition to apply within the remit of development management.

6.14. **Shopfront Design.**

The applicant has sought to address the concerns of the planning officer about the proposed shopfront design shown on Drawing: CS75/PP/005 by providing an alternative proposal on Drawing CS CS75/BC/010. The modified proposals which provides for full recognition of the plot widths, and subdivision of the units incorporating the entrance to the upper floors within a simple unified shopfront with a signage at appropriate scale and proportion is fully acceptable. It is unclear

whether to possible existence of any historic fabric beneath the existing shopfronts. This could be investigated. A condition can be included providing for resolution of final detail and preclusion of signage on the façade above the front façade should permission be granted.

6.15. Residential Amenity.

There is some residential development, (which is encouraged in development plan policies and objectives.) in the immediate environs of the site location, especially, along Pleasant's Place although the predominant land uses are commercial, retail and recreational and leisure developments. Having reviewed the plans, it has been concluded that use of the proposed roof terrace at first floor level at the rear of No 76 would not adversely affect residential amenity and privacy by reason of overlooking or noise disturbance. Nevertheless, should permission be granted, it would be reasonable to include a condition whereby use of the roof terrace is not permitted after 2300 hrs.

6.16. Appropriate Assessment.

Having regard to the scale and nature of the proposed development no Appropriate Assessment issues arise and it is not considered that the proposed development has a significant effect individually or in combination with other plans or projects on a European site.

7.0 Conclusion and Recommendation:

There is scope for realisation of greater potential gain in terms of conservation and preservation of the protected structure than that provided for within the proposal. Nevertheless, subject to the modifications recommended and discussed on the foregoing, favourable consideration of the proposed development from the perspective of the remit of a planning review is reasonable. It is desirable that some of these matters be resolved satisfactorily prior to the determination of a decision, possibly by way of issue of a section 131 notice, especially with regard to the proposed methodology for the conservation works. In view of the foregoing, it is

recommended that the appeal be upheld and that the planning authority decision to refuse permission should be overturned. Draft Reasons and Consideration and Reasons and Consideration for a grant of permission are set out below.

Any possible future proposals for change of use that is not exempt development would be subject to further planning review.

Reasons and Considerations

Having regard to the Georgian building on the site which is included on the record of protected structures, to the location which is within a conservation area it is considered that subject to compliance with the conditions set out below, the proposed development would not adversely affect the integrity of the protected structure and its context within the group of buildings on the site, would contribute to the viability and vitality of the Camden Street Lower area, would be in accordance with Policy Objective CHC1 of the Dublin City Development Plan, 2016-2022 which provides for the preservation of the built heritage in the city that makes a positive contribution to the character, appearance and quality of local streetscapes and the sustainable development of the city and would be in accordance with the proper planning and 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 An Bord Pleanála on the 30th August, 2016, 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 following amendments shall be provided for and adhered to in the proposed development:
 - (a) The enlarged opening providing for access between the link building and the rear wall of No 75 Camden Street Lower (Protected Structure) shall be omitted.
 - (b) The link building shall be reduced in width so that it has a minimum setback of six metres from the southern side boundary and designated as amenity space.
 - (c) The ground floor unit at No 75 shall be retained as and separate independent retail unit.
 - (d) Access between the ground floor unit at to No 41A Pleasant's Place shall be restricted to the area within No 76 Lower Camden Street.

Revised plan, section and elevation drawings r shall be submitted to the planning authority for written agreement prior to commencement of development.

Reason: To protect the character and integrity of the protected structure, and the ground floor retail use.

3. The shopfront shall be in accordance with the amended proposals for the shopfront design shown on Drawing CS CS75/BC/010 submitted to An Bord Pleanala on 30th August,2016. Details of lighting, materials colours and textures shall be submitted to the planning authority and agreed in writing prior to the commencement of the development.

Reason: In the interest of clarity and visual amenity.

4. Prior to commencement of development, a method statement and accompanying itemised survey and condition study for the proposed works to

No 75 Camden Street Lower shall be prepared the in accordance with the recommendations set out in the “*Architectural Heritage Protection Guidelines for Planning Authorities*” (Department of the Environment, Heritage and Local Government, 2005) and best conservation practice by a person with specialist expertise in historic building conservation which shall be submitted to and agreed in writing with the planning authority. All works shall be carried out in accordance with the agreed method statement under the direction of the person with specialist expertise in historic building conservation

Reason. In the interest of best conservation practice and to protect the integrity of the historic fabric and character of the protected structure.

5. The use of the roof terrace shall be confined to the hours of 0800 hrs – 2300 hrs only.

Reason: In the interest of the protection of residential amenity and the amenities of the area.

6. Prior to the commencement of the development, the developer shall submit to, and agree in writing with, the planning authority details of all the materials, textures and colours for the external facades including fenestration. Samples shall be displayed on site to facilitate the planning authority.

Reason: In the interest of visual amenity, clarity and orderly development.

7. 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 public health

8. Hours of construction shall be confined to the hours of 0800 and 1900 Mondays to Fridays excluding bank holidays and 0800 hrs and 1400 hrs on Saturdays only. 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 amenities of the area.

9. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: In the interests of residential amenity and proper waste management.

10. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. This plan shall be prepared in accordance with the *“Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”*, published by the Department of the Environment, Heritage and Local Government in July, 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

11. 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.

Jane Dennehy
Senior Planning Inspector
13th December, 2016.