



An  
Bord  
Pleanála

## Inspector's Report PL29S.247311

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<b>Development</b>	Change of use of Montessori to 1 bed apartment at rear and reinstatement of balcony to front elevation (a Protected Structure).
<b>Location</b>	6 Merrion Square North, Dublin 2.
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	2355/16
<b>Applicant(s)</b>	Annette Cooper, Claude Fettes & Marc Godart
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Fergal O'Connell
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	27 <sup>th</sup> of January 2017
<b>Inspector</b>	Angela Brereton

## 1.0 Site Location and Description

1.1. The site is located on the northern side of Merrion Square, close to the junction with Merrion Street Lower. The American College is on this corner of this junction and the Davenport Hotel is to the north west. The building is one of a row of red brick 3 bay, 4 storey over basement period terraced townhouses. Some of these properties have decorative rails to first floor balconies. It has a stated site area of 431sq.m and comprises a 4 storey over basement Georgian building. There is a more modern single storey rear extension and a rear garden area. The building is in mixed commercial/residential use. It has recently been internally decorated. There are a number of name plates relative to the commercial businesses on the front door. It faces Merrion Square green area.

## 2.0 Proposed Development

- 2.1. The development is described on the Public Notices as consisting of the change of use of the rear ground floor return, from an existing use as a Montessori school to use as a 67sq.m 1bedroom residential apartment. It is provided that 120sq.m of the rear garden area is for the exclusive use of the proposed apartment; and for the repair, refurbishment and reinstatement of the first floor balcony to the front elevation. This is a protected structure.
- 2.2. The planning application form provides that the total site area is 431sq.m, the floor area to be retained on site is 704.2sq.m. There is no new floor area proposed. The total non-residential floor area is 513sq.m. A table of the existing floor uses within the 4 storey building is given in section 8 of the application form. This includes the change of use from crèche to the rear (67sq.m) to residential apartment 67sq.m – therefore no new floor area is envisaged in this proposal.
- 2.3. A Report for Edward Fitzgerald Selby, Architects with this application i.e:- *Report on the proposed conservation, restoration, and re-instatement of the cast and wrought iron balcony, and the proposed Planning Application for Change of Use as a Creche to use as a Residential Apartment.* This provides a background history of the site and surrounds. It also provides a description of the house including regard to design and layout, external finishes, fenestration and the balcony. Photographs are included.

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. On the 29<sup>th</sup> of August 2016 planning permission was granted for the proposed development subject to 8no. conditions. These generally relate to infrastructural and construction related issues. Condition no. 2 is of note and provides the following:

*The works hereby approved shall be carried out under the professional supervision on-site of an architect or expert with specialised conservation expertise, in accordance with the Department of the Environmental, Community and Local Government, Architectural Heritage Protection Guidelines for Planning Authorities and in accordance with Best Conservation Practice.*

*Reason: To ensure that the integrity of the protected structure is maintained and that all works are carried out in accordance with best conservation practice.*

### 3.2. Planning Authority Reports

#### 3.2.1. Planner's Report

They have regard to the locational context of the site, planning history and policy and to the submissions made. They considered that although the proposed development is permissible within the Z8 zoning objective, the applicant has not fully outlined the impact on the surviving fabric of the P.S which is located in a designated Conservation Area. They noted the Conservation Officer's concerns and recommended that additional information regarding the confirmation of a number of issues be submitted. This included confirmation details regarding the following:

- The impact on the primary fabric surviving to the principle structure relevant to the proposed change of use;
- The proposed access route to the proposed apartment and the amenity/service area provided with the accommodation;
- Whether the main staircases will require alteration as a result of the proposed change of use/upgrading works.
- Additional information required on the restoration of the balcony.

### 3.2.2. Further Information response

Edward Fitzgerald Selby response to the F.I request includes photographs and drawings and regard to the following:

- Details relevant to the impact on the fabric of the proposed change of use in the ground floor return.
- Details regarding the access route via the front hall door through the internal hallways of the property via stairs to the entrance door of the proposed apartment.
- They confirm that there is no alteration proposed to the staircase.
- They enclose a drawing showing details of the front elevation detailing the fixing of the balcony.

### 3.2.3. Planner's Response

The Planner had regard to the F.I submitted and considered that the information submitted significantly addressed the issues raised and that the proposal is acceptable. They recommended that permission be granted subject to conditions.

## 3.3. **Other Technical Reports**

*External*

### 3.3.1. Transport Infrastructure Ireland

They provide that the proposed development falls within the area set out in the Metro North Section 49 Levy scheme and recommend that a Section 49 Metro North Levy be included.

### 3.3.2. Dart Underground

They provide that this property is within the defined zone of influence of the DART Underground and therefore Iarnród Éireann has assessed the application and have concluded that the proposed development will not impact on the integrity of the DART Underground.

## *Internal*

### 3.3.3. Roads & Traffic Planning Division

They note that there is no carparking available or proposed and that cycle parking can be accommodated in the back garden for residents. They have no objection subject to conditions.

### 3.3.4. Drainage Division

They have no objections subject to compliance with current standards.

### 3.3.5. Conservation Officer

They have regard to the minimal information submitted and on the need for confirmation of a number of issues and recommend that Further Information be sought. They also provide a Review of Planning file particulars.

## 3.4. **Third Party Observations**

3.4.1. A submission was received from the subsequent appellant Fergal O'Connell, Architect. Concerns included the following:

- Significant renovation works have been going on to the Protected Structure, a declaration is required in advance. Concerns regarding validity due to works already carried out.
- Sub-division works have taken place on the second floor.
- No details have been given of the change of use from Montessori school to use for residential apartment either in the Conservation Method Statement or in the body of the application.
- He encloses a copy of the sale documentation in 2014, which includes a description of the property and refers to the creche.

## 4.0 **Planning History**

4.1.1. There appears to be no recent planning history relevant to the subject site. The Planner's Report notes that there has been some enforcement history:

- 4.1.2. E0052/13 – A file was opened to investigate alleged removal of balcony/internal alterations and this remains under investigation.

## 5.0 Policy Context

### 5.1. Dublin City Development Plan (2016-2022) – Interim Publication

This Plan was adopted by Dublin City Council at a Special Council meeting on 23rd September 2016. The Plan came into effect on 21st October 2016. It replaces the 2011-2017 City Development Plan.

Section 2.3.9 refers to the recognition and support for Conservation, Culture and Heritage as a core determinant of the city's character.

Section 4.5.9 refers to Urban Form and Architecture Policies SC26 and 26 refer.

Chapter refers to Culture and Heritage. Section 11.1.3 sets out the challenges to protect the character of designated ACAs and CAs and to protect the structures of special interest and review the RPS.

Policy CHC1: *To seek 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.*

Section 11.1.5.1 refers to the RPS. *The Planning and Development Act, 2000 (as amended) defines 'Protected Structures' as structures, or parts of structures, which form part of the architectural heritage and which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.*

Section 11.1.5.3 includes: *Interventions to Protected Structures should be to the minimum necessary and all new works will be expected to relate sensitively to the architectural detail, scale, proportions and design of the original structure. This should take into account the evolution of the structure and later phases of work, which may also contribute to its special interest.*

Section 11.1.5.4 refers to ACAs and CAs in particular to the special interest or unique historic and architectural character and important contribution of heritage to the city. Policy CHC4 relates to enhancement opportunities and development restrictions.

Section 11.1.5.13 refers to Preservation of Zones of Archaeological Interest and Industrial Heritage. Policy CHC9 refers.

Chapter 14 sets out the Land-use Zoning Principles and Objectives. The subject site is located within the land use zone Z8 i.e Georgian Conservation Areas. Section 14.8.8 sets out the Objective which is: *To protect the existing architectural and civic design character, and to allow only for limited expansion consistent with the conservation objective.*

It is provided that the guiding principle is to enhance the architectural quality of the streetscape and the area, and to protect the Georgian character of the area.

Chapter 16 provides the Development Standards and refers to Design, Layout, Mix of Uses and Sustainable Design.

Section 16.10.12 and Appendix 17 provide the guidelines for Extensions and Alterations to Dwellings.

Section 16.10.20 refers to Development on Archaeological Sites and in Zones of Architectural Interest.

## **5.2. Architectural Heritage Protection Guidelines for Planning Authorities**

These are of relevance and were issued by the DoEHLG in 2004/2011 –

Section 1.3.1 (f) provides: *Where a structure is protected, the protection includes the structure, its interior and the land within its curtilage and other structures within that curtilage (including their interiors) and all fixtures and features which form part of the interior or exterior of all these structures. All works which would materially affect the character of a protected structure, or a proposed protected structure, will require planning permission.*

Section 2.2.2 refers to a P.S and land within its curtilage. S.2.9.1(c) relates to whether the curtilage of a P.S has been determined.

Chapter 6 and Section 6.8 includes reference to extensions.

Section 6.8.4 provides: *In general, modern extensions to a protected structure do not have protected status themselves unless they contribute to the character of the structure.*

Extensions to the rear of a protected structure can have an impact on views of the building and also have the potential to affect the character of an ACA.

Section 6.8.8 refers to Material Change of Use and the need to carefully consider any proposed change of use and its implications for the fabric and character of the structure.

Chapter 7 provides the Conservation Principles.

Section 7.3 refers to the preference for keeping a building in active use.

Section 7.7 promotes Minimum Intervention i.e. *The principle of promoting minimum intervention in a protected structure is best summed up by the maxim 'do as much as necessary and as little as possible'. Dramatic interventions in a protected structure are rarely appropriate. The best work in conservation terms is often that which is low key, involves the least work and can be inexpensive.*

Chapter 13 deals specifically with the Curtilage and Its Attendant Grounds

Section 13.7.1 provides: It is essential to understand the character of a site before development proposals can be considered. Section 13.7.2 has regard to the issues to be considered including: (a) Would the development affect the character of the protected structure? (b) Would the proposed works affect the relationship of the protected structure to its surroundings and attendant grounds?

## 6.0 The Appeal

### 6.1. Grounds of Appeal

6.1.1. Fergal O'Connell, Architect has submitted a Third Party Appeal and his grounds of appeal include the following:

- This application should have been for retention of change of use as the work has been completed long before the application was lodged.
- It should have been for the retention of *the repair, up-grading services, fire safety and re-decoration work* that was also carried out before the application was lodged.



- Like all buildings on Merrion Square no. 6 is a P.S and requires planning permission of any 'repair, renovation and up-grading of services. No works to a P.S are exempt unless a declaration is provided in advance.
- He has witnessed significant works have been taken place to the P.S including re-plastering of walls and ceilings in the main building. He also refers to other evidence regarding renovation works that have been taking place within the property.
- He notes that while such works are under investigation by Building Control the Planner's Report does not mention that renovation works have already occurred.
- He has regard to the Planning Legislation (Section 4(i)h and Section 57) and notes that a declaration for such works was not undertaken by the applicants.
- The statement that 120sq.m is available for private garden area has resulted in the removal of the only private open space enjoyed by the current tenants in the building.
- All landscaping in the rear garden area has been removed.
- Concern that the construction works and hours of construction will impact on family life for the existing residence on the top floor of the building and suggestion of reduction to these hours.
- He wishes to appeal the decision granted on the basis that it is not a valid application because the work excluding the reinstatement of the balcony has already been carried out. The removal of the private open space contravenes DCC own planning principles, and a Section 57 was not sought in advance of the work carried out.

## 6.2. Applicant Response

6.2.1. Edward Fitzgerald Selby has submitted a response on behalf of the First Party which includes the following:

- They provide a description of the current proposal, and that it has been designed and specified with respect to the development plan standards.

- They provide that pre-planning meetings have taken place with the Council and there is no unauthorised development on site, or poor conservation practice within the building.
- The Board is invited to liaise with DCC Building Control and Planning Enforcement to confirm that the building is not under investigation. They provide details of this.
- They note that the building has been painted and re-decorated and that an amount of wiring and security equipment was upgraded.
- The reinstatement of the balcony does comprise a key part of the planning application and is detailed on the drawings.
- They provide details as to the alterations to the front door of the property. This includes having regard to the spy hole and security camera to the front of the building.
- They provide that the rear garden gate has been in-situ prior to when their clients acquired the property in 2014. They include photographs.
- They provide details of the history of the property and note the occupancy of the top-floor apartment. This includes that while unauthorised as regards planning it is the established use.
- This is a planning application which has been carefully prepared in terms of pre-planning discussion, liaison with the conservation officer and architectural conservation input. They consider the appeal vexatious and unsubstantiated.

### **6.3. Planning Authority Response**

- 6.3.1. Dublin City Council's response notes that the reasons for granting permission are clearly set out in the Planner's Report for the application. They provide that it is not intended to respond in detail to the grounds of appeal as the PA considers that the comprehensive planning report deals fully with all the issues raised and justifies its decision.

## 7.0 Assessment

### 7.1. Principal of Development and Planning Policy

- 7.1.1. No.6 Merrion Square North is located within the Land Use Zoning Z8 i.e Georgian Conservation Area. Section 14.8.8 of the DCDP 2016-2022 provides: *The aim is to protect the architectural character/design and overall setting of such areas. A range of uses is permitted in such zones, as the aim is to maintain and enhance these areas as active residential streets and squares during the day and at night-time. Offices may be permitted where they do not impact negatively on the architectural character and setting of the area and do not result in an over-concentration of offices. In the south Georgian core where residential levels are low, it is the aim to encourage more residential use in the area.* The existing building is in primarily commercial (office) and has some residential use, both of which are permissible in the Z8 Zoning Objective.
- 7.1.2. In this case the property is also a Protected Structure and is one of a group of such fine Georgian period properties in the Merrion Square North area. It is of note that these are all included in the DCDP Record of Protected Structures. Policy CHC2 seeks: *To ensure that the special interest of protected structures is protected. Development will conserve and enhance Protected Structures and their curtilage.* This includes criteria (a) to (f) regarding works to a P.S. to ensure its protection and enhancement. This also provides: *Changes of use of protected structures, which will have no detrimental impact on the special interest and are compatible with their future long-term conservation, will be promoted.*
- 7.1.3. While not located in an ACA the site is located in a Conservation Area. Section 11.1.5.4 includes: *Designated Conservation Areas include extensive groupings of buildings or streetscapes and associated open spaces and include (parts of) the medieval/walled city, the Georgian Core (in recognition of Dublin's international importance as a Georgian city), the 19th and 20th century city and the city quays, rivers and canals.* Section 11.1.4 of the DCDP 2016-2022 provides the Strategic Approach to the city's built heritage. This includes that survey and review will be conducted outwards from the historic core and will focus on 10no. phase 1, priority areas. It is provided that the rationale for selection is that these are areas within the

historic core that have high concentrations of protected structures but are presently sited outside designated Architectural Conservation Areas: This includes *Merrion Square- including Government Buildings and Mount Street (Upper & Lower)*.

- 7.1.4. Therefore, the importance of this building in the context of the Merrion Square area in planning and conservation terms needs to be highlighted, in terms of the assessment of the current application. Regard is had to this and to the planning issues raised by the Third Party in the Assessment below.

## 7.2. **Regard to Validity and Other issues**

- 7.2.1. The concerns of the Third Party regarding a number of issues relative to works being carried out and not having being included in a declaration or in the description of development are noted. They refer to Section 4(i)h of the Planning and Development Act 2000 (as amended) i.e. relative to works carried out to a structure and the restrictions imposed by Section 57 relative to exempted development for works to protected structures. The latter includes regard to the need to issue a declaration i.e *(2) An owner or occupier of a protected structure may make a written request to the planning authority, within whose functional area that structure is situated, to issue a declaration as to the type of works which it considers would or would not materially affect the character of the structure or of any element, referred to in subsection (1)(b), of that structure.*
- 7.2.2. In this respect it is considered that these are issues, including regard to any unauthorised development or enforcement that are within the remit of the Planning Authority. The Board is considering the application as presented *de novo*. The proposal relates to the Change of use of part of the ground floor to residential use and repair and reinstatement of first-floor balcony. Regard is had to the Architectural Heritage Protection Guidelines and to the relevant DCDP 2016-2022 policy and objectives.

## 7.3. **Regard to Change of Use**

- 7.3.1. Section 11.1.5.3 of the DCDP provides: *The historic use of the structure is part of its special interest and in general the best use for a building will be that for which it was built. However, on occasion the change of use will be the best way to secure the*

*long term conservation of a structure. Where a change of use is proposed, the building should be capable of being converted into the new use without harmful extensions or modifications, especially if the change of use would require new openings, staircases and substantial subdivisions to the historic floor plan or loss of historic fabric. Also Section 7.3.1 of the Architectural Heritage Protection Guidelines provides: Where a change of use is approved, every effort should be made to minimise change to, and loss of, significant fabric and the special interest of the structure should not be compromised.*

- 7.3.2. Policy CHC4 of the DCDP relates to Conservation Areas and ACAs and notes enhancement opportunities and has regard to development control. This includes: *Changes of use will be acceptable where, in compliance with the zoning objective, they make a positive contribution to the character, function and appearance of conservation areas and their settings. The council will consider the contribution of existing uses to the special interest of an area when assessing change of use applications and will promote compatible uses which ensure future long-term viability.*
- 7.3.3. The current application seeks to provide a change of use of part of the ground floor to residential use. A Site Layout Plan, Floor Plans and Elevations have been submitted. No changes or works are proposed in the application submitted relative to the other floors. Therefore, only the subject change of use is for consideration in the current application. The floor plans show that this area is relative to the more modern single storey extension at the rear. This is 67sq.m in floor area and no external alterations or extensions are proposed. Section 16.10.1 of the DCDP refers to Residential Quality Standards for apartments as set out in the Department of Environment, Community and Local Government guidelines entitled Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (December 2015). This provides a minimum standard for a one bed apartment of 45sq.m and 73sq.m for a two bed apartment. Therefore, the floor area for the apartment is within the standards for a one bed roomed unit.
- 7.3.4. Having visited the property some internal alterations have taken place and the residential apartment is the current usage. There is no evidence of the former Montessori usage. However, the sales documentation (dated April 2014) submitted by the Third Party notes a single storey extension, comprising crèche

accommodation and a garden at ground floor level. Therefore, the change of use appears to have taken place since then. It is noted that the works relative to the internal works for the apartment use are not referred to in the Conservation Statement submitted.

7.3.5. The F.I response submitted provides that there was an original rear return with basement, the entire return underwent refurbishment and extension in the early 20<sup>th</sup> century. There are no surviving period features. They provide that the end most part of the rear return may have been constructed as late as the 1960's. It is noted that the brick and pointing are not period elements, rainwater goods are black PVC. Also that the return has a hipped roof finished with slate and clay ridge tiles. It is in good condition and is unaffected externally by the change of use and is relatively modern.

7.3.6. As provided in the F.I submitted the access to the apartment is via the front hall door. There is no separate access from the road to the apartment. This access is via the existing hallway and steps down to the door to the apartment. It is a shared access hallway with the commercial (office usage) on the ground floor of the building and the entrance door and stairway is also used by the commercial above and the top floor apartment. No alterations are proposed to the staircase. There is a separate access to basement commercial (office) via steps and a gated access from the road. This is not accessible to the apartment.

#### **7.4. Private Open Space issue**

7.4.1. The description of development provides that 120sqm of the rear garden is for the exclusive use of this ground floor apartment. This is in the form of a walled garden area, with an old stone wall along the western boundary. The garden area is relatively private in that it is enclosed by the walls bounding the proximate buildings. It is gated so that it is separated from the rear open space area which is used by the commercial offices and there appears to be some usage by the third floor apartment as there are some bikes stored in that area. There is a separate rear door in the property which provides access to this space. Therefore, it appears that the open space to the rear and side of the single storey extension is for the exclusive of the apartment. It may also have been in view of the gated and enclosed nature of the garden area that this area was used by the crèche. The First Party provide that an aged gate was in-situ prior to the date they acquired the building in 2014.

7.4.2. In this respect it is noted that the Third Party provide that this has resulted in the removal of the only private open space enjoyed by the current tenants of the building. It appears that no separate open space has been allotted to the third floor apartment usage. The First Party provide that this is an unauthorised but established use and that there is no usage for the third floor apartment of this rear garden area. Details are provided in the documentation submitted relative to the history of the building. It is of note that this issue is a civil matter and I do not propose to adjudicate on this. I note here the provisions of S.34(13) of the Planning and Development Act: "A person shall not be entitled solely by reason of a permission under this section to carry out any development". Under Section 5.13 'Issues relating to title of land' of the 'Development Management - Guidelines for Planning Authorities' (DoECLG June 2007) it states, inter alia, the following: "The planning system is not designed as a mechanism for resolving disputes about title to land or premises or rights over land; these are ultimately matters for resolution in the Courts..."

7.4.3. Therefore, it is not considered in the remit of this application, that it can be conditioned as to allocating an area of open space relative to the third floor apartment usage. If there are concerns about the exclusive use of the rear garden area relative to this change of use application, this is a private legal matter.

## **7.5. Regard to the Balcony issue**

7.5.1. Part of this application is for the repair, refurbishment and reinstatement of the first floor balcony to the front elevation of this building. This is discussed in the Conservation Report submitted. It is noted that the balcony spans across the full width of the front façade at first floor level. It is c.1m high and comprises decorative railings and is now in relatively poor repair. It is provided that part of a much more elaborate storey height structure was in place until 2011 when the upper part was cut off, taken down, and put into storage following storm damage. This notes that the original balcony structure had 4 vertical cast iron uprights with wrought iron panels to each side to form 3 arches, a wrought iron horizontal 'fascia' and angled brackets to connect to the main façade. They attach Fig. 2 which shows the balcony in the 1970's. It is provided that these sections are now in storage. A Method Statement for

the re-instatement of the missing sections of the front balcony is included. This includes photographs and details of restoration, painting and fitting.

7.5.2. It is of note that the Council's Conservation Officer is supportive of the restoration of the iron balcony. However, they recommended that F.I be sought including the input of a Grade 1 Conservation Architect explaining the proposed location of repair and re-fixing to the extant face and the detail of structural support. In response to the Council's F.I request the First Party submitted a 1:20 section detail of the front elevation detailing the fixing of the balcony. They provided that the fixing location is also detailed on a 1:20 part plan and part elevation.

7.5.3. There is a similar type decorative balcony structure at no.9 Merrion Square North, which is still in situ. These appear to be the only upright decorative balconies of this nature on the front elevations of this row of Georgian period houses in Merrion Square North. It is considered that the restoration and reinstatement of this decorative balcony, provided it is executed in accordance with best conservation practice, will add to the character of the building and to the visual appearance of this area of Merrion Square North.

## 7.6. **Appropriate Assessment**

7.6.1. It is considered that having regard to the nature and scale of the development which is for domestic/residential purposes in a fully serviced urban location, and to the nature of the receiving environment, that no appropriate assessment issues arise.

## 8.0 **Recommendation**

8.1. In view of the documentation submitted, the submissions made including the grounds of appeal, and having regard to my site visit and to the Assessment made it is recommended that permission be granted subject to the conditions below.

## 9.0 **Reasons and Considerations**

9.1.1. Having regard to the provisions of the Dublin City Development Plan 2016-2022, to the nature and scale of the proposed development and to the pattern of development in the Z8 Georgian Conservation Area, it is considered that, subject to compliance



with the conditions set out below, this development including the change of use would not seriously injure the amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 10.0 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 submitted on the 5th day of August 2016 and by the further plans and particulars received by An Bord Pleanála on the 27th day of October, 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. For the avoidance of doubt, the area subject to the change of use as shown on the submitted drawings shall be used as residential apartment only and shall be restricted to this use unless otherwise authorised by a prior grant of planning permission.

**Reason:** In the interest of clarity.

3. All repair/restoration works shall be carried out in accordance with best conservation practice as detailed in the application and in the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in 2011. The repair/restoration works shall retain the maximum amount possible of surviving historic fabric in-situ including structural elements, plasterwork and joinery and shall be designed to cause minimum interference to the building structure and/or fabric.

**Reason:** To ensure that the integrity of the historic structure is maintained and that the structure is protected from unnecessary damage or loss of fabric.

4. 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 public health.

5. Site development and building works shall be carried out between the hours of 07.00 to 18.00 Mondays to Fridays inclusive, between 08.00 to 14.00 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

6. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and residential amenity.

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Angela Brereton,  
Planning Inspector

31<sup>st</sup> of January 2017