



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: 3993/19

Appeal by John Boles of 32b Dolphin's Barn Street, Dublin against the decision made on the 7th day of November, 2019 by Dublin City Council to grant subject to conditions a permission to Earls Court Retail Unit 02 Limited care of O'Leary Sludds Architects of Wexford Enterprise Centre, Strandfield Business Park, Kerlogue, Wexford in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention for the subdivision of an existing 272.42 square metres ground floor retail unit (previously granted under planning register reference number 5345/06 and planning register reference number 4140/03) into three number retail units (Unit 1 97.60 square metres, Unit 2 54.03 square metres and Unit 3 120.48 square metres) with associated signage (0.407 square metres) and retention for changes to previously granted shopfront fenestration, all at Earls Court, corner of Dolphin's Barn Street and Reuben Street, Dublin.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to the zoning for the site for mixed service facilities under objective Z4 of the Dublin City Development Plan 2016-2022 and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the development proposed for retention would not diminish the range of services available at Dolphin's Barn, would not seriously injure the character of the area or the amenities of property in the vicinity and would be acceptable in terms of traffic safety and convenience of road users. The development proposed for retention would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following condition. Where this condition requires details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority within three months of the date of this order and the development shall be retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Details of all external shopfronts and signage shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. The signage shall be lit by external illumination only and window displays shall be maintained free of stickers, posters or other advertisements.

Reason: In the interest of visual amenity.

Paul Hyde
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2020.