



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: 4268/19

Appeal by Marston Planning Consultancy of 23 Grange Park, Foxrock, Dublin against the decision made on the 16th day of December, 2019 by Dublin City Council to grant subject to conditions a permission to Glenveagh Homes Limited care of John Spain Associates of 39 Fitzwilliam Place, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention permission and planning permission for development at site at the former Chester Beatty Library Site. The development will consist of demolition of the existing ESB substation; additional landscape planting on the northern boundary to 18 Shrewsbury Road, landscape planting adjacent to the basement ramp, replacement of a section of the existing boundary wall (south) adjacent to 22 Shrewsbury Road with a new 2.23 metres high boundary wall (south) and new entrance gates. The development consists of external and internal as-built modifications to the residential development permitted under planning register reference number 3604/08 (An Bord Pleanála reference number PL 29S.231151) and extended under planning register reference number 3604/08/x1 to include construction of a replacement ESB substation; all external and internal as built works

including reduction in the number of guest car parking spaces from 13 number spaces to 11 number spaces within the shared basement; revisions to the internal layout to include relocation of the kitchen from basement level to ground floor level (in houses numbers 1-4 and 6-7), inclusion of a lift in each dwelling extending from basement level to second floor level and reconfiguration of the internal layout of houses numbers 1-7 at basement level and levels 1, 2 and 3; general external alterations to fenestration, chimney and door detail, dormer detail including omission of chimneys; increase to parapet/ridge heights locally to elements of the buildings (north block - ground floor return and first floor, house 4 west elevation [to include window] - south elevation house 1 - roof level to match existing); and all associated works. No overall increase in gross floor area or building height is proposed, all at the former Chester Beatty Library, 20 Shrewsbury Road (now to be known as numbers 1-7 Shrewsbury Gardens), 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 provisions of the Dublin City Development Plan 2016-2022, the existing pattern of development in the area, and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development proposed to be retained would not seriously injure the amenities of the area or of property in the vicinity. The proposed development and the development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out, completed and 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 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. Water supply and drainage arrangements, including the disposal and attenuation of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

3. The landscaping scheme accompanying the application shall be implemented fully in the first planting season following completion of the development and any trees or scrubs which die or are removed within 3 years of planting shall be replaced in the first planting season thereafter.

Reason: In the interests of amenity, ecology and sustainable development.

4. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. 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 the amenities of property in the vicinity.

Michelle Fagan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2020.