



Board Direction

Ref: 29N.245917

The submissions on this file and the Inspector's report were considered at a Board meeting held on 3rd, May 2016.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the reasons and considerations and subject to the conditions as set out below.

REASONS AND CONSIDERATIONS

Having regard to the nature and scale of the proposed development, it is considered that the proposed development would accommodate uses on the site that would be in keeping with its city centre zoning under the Dublin City Development Plan 2011-2017, as well as with that plan's designation of Moore Street as a category 2 shopping street in the retail core of the city. The proposed amalgamation of retail units in a modern building would be in accordance with policies RD12 and RD26 of the development plan. The design of the revised frontage onto Moore Street would be acceptable and would not detract from the historic and architectural character of the street. Furthermore, it would provide a more consistent building line, which would be in keeping with the guidance at section 16.1.3 of the development plan, and would improve the level of passive supervision and the perceived levels of security along the street without unduly hindering pedestrian movement or the operation of the market stalls there. As such, the proposed development would be likely to add to the vitality and viability of Moore Street. Therefore, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the proper planning and sustainable 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 submitted on the 5th day of November 2015 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 bollards along the public footpath shown on the plans and elevations submitted with the application shall be omitted from the authorised development.

Reason: The erection of the proposed bollards would involve works on the public road outside the boundaries of the application site on land which is not in the control of the applicant.

3. The authorised shop in the amalgamated unit numbered 82-85 and the authorised café shall have their primary entrances from Moore Street as shown on the plans and elevations submitted with the application. The entrances shall be open to customers whenever the café or shop in that premises is open to customers.

Reason: To protect the character and commercial vitality of Moore Street

4. 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.

Reason: In the interest of the amenities of the area

5. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area

6. Loudspeakers shall not be erected on the exterior of the authorised café or shops, or within the shops so that the sound from them is audible outside the said premises.

Reason: To protect the character and amenities of the area

7. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 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

8. Noise monitoring locations for the purposes of the construction phase of the proposed development shall be agreed in writing with the planning authority prior to the commencement of any development on site.

Reason: To protect the amenities of property in the vicinity.

9. 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 be applied to the permission.

10. The developer shall pay to the planning authority a financial contribution in respect of Metro North in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

Board Member: _____ Date: 3rd, May 2016
Paddy Keogh