



Board Direction

Ref: 29S.246161

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15th, June 2016.

The Board decided to grant permission and permission for retention 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 location of the site within a cluster of contemporary commercial buildings on the junction of Upper Baggot Street and Waterloo Road and within an area zoned 'Z6 - *to provide for the retention and protection and to facilitate opportunities for employment creation*' in the Dublin City Development Plan 2011 – 2017 it is considered that, subject to compliance with the conditions set out below, the proposed development proposed retention of development would not seriously injure the visual amenities or architectural character of the adjoining Upper Baggot Street Conservation Area or the areas along Waterloo Road and Pembroke Road, which lie within areas covered by the zoning objective, 'Z2 : residential conservation area'. Furthermore, it is considered that the proposed development and proposed retention of development would not adversely affect the integrity and setting, either individually or collectively, of protected structures located in the vicinity of the site. The proposed development and retention of development would, therefore, 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 except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The forward projecting curtain wall glazing element containing the proposed reconfigured stair core and entrance lobby fronting onto Waterloo Road frontage shall not exceed a total height of 31.2m above ground level. Details of the revised design shall be submitted to an agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interests of visual amenity and to avoid the creation of a visually overbearing element in the streetscape at this location.

3. Details, of the materials, colours and textures of all external finishes, shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interests of visual amenity.

4. Details of all signage proposed together with any proposals for the illumination of such signage, including signage at the main entrance to the building onto Waterloo Road and signage over individual retail units shall be submitted to and agreed in writing with planning authority prior to the commencement of the development.

Reason: In the interests of visual amenity.

5. Std CMP (include hours of operation) and Reason

6. Notwithstanding the provisions of the *Planning and Development Regulations, 2001*, or any statutory provision amending or replacing them, no additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorized by a further grant of planning permission.

Reason: To protect the visual amenities of the area, and to permit the planning authority to assess any such development through the statutory planning process.

7. Drainage arrangements, including the 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 and to ensure a proper standard of development.

8. 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 is applied to the permission.

Board Member: _____ Date: 20th, June 2016
Paddy Keogh