



Board Direction

Ref: 29S.246463

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

The Board decided to grant permission in accordance with the following reasons, considerations and conditions.

REASONS AND CONSIDERATIONS

Part of the site of the proposed development is zoned 'Z1' the stated objective of which zoning is 'to protect provide for and/or improve residential amenities' in the Dublin City Development Plan 2011 -2017. The remainder of the site is zoned 'Z8' the stated objective of which zoning is 'to protect the existing architectural and civic design character, to allow only for limited expansion consistent with the conservation objective'. Having regard its design, nature, scale and use and to the existing character and pattern of development in the vicinity of the site it is considered that, subject to the conditions set out below, the proposed development would be acceptable in terms the sites zoning objectives and in terms of conservation and amenity, would not interfere unduly with the character of Protected Structures in the vicinity of the site, would not seriously injure the residential amenities of neighbouring dwellings, would be acceptable in terms of traffic safety and convenience and would be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board was satisfied that subject to strict operation of the proposed site Servicing Management Plan the proposed development would not cause significant congestion, obstruction and interference with the free and safe flow of traffic and the proposed development could be accommodated at this location without endangering public safety by reason of a traffic hazard. Furthermore, the Board considered that the Planning Inspector's concerns as set out in the recommended second reason for refusal could be satisfactorily addressed by way of the attachment of an

appropriate condition omitting the top floor of the proposed development and thus preventing overdevelopment of the site and preventing injury to the visual amenities of the surrounding south city Georgian core and Protected Structures adjoining and adjacent to the site.

The Board accepted and adopted the Planning Inspector's analysis in relation to screening for Appropriate Assessment and concurred with her conclusions. The Board considered that the proposed development either individually or in combination with other plans and projects would not be likely to have a significant effect on any European site in particular the North Dublin Bay SAC (Site Code No. 0206), the South Dublin Bay SAC (Site Code No. 00210) or the South Dublin Bay and River Tolka SPA (Site Code 4014) and the North Bull SPA in view of the site's conservation objectives.

CONDITIONS

(1) Std. P and P and Reason

(2) The top floor of the proposed building (proposed fourth floor as indicated on drawing No. 254-P-02-02 received by the planning authority 15th, February 2016) shall be omitted in its entirety. Revised drawings providing for this omission shall be submitted and agreed to in writing with the planning authority prior to the commencement of development.

Reason: In the interests of visual and to protect the integrity of vistas from within the south city Georgian core including views from within and across Fitzwilliam Square.

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

Reason: In the interests of visual amenity.

(4) Per p.a. condition number 11 and reason

(5) Std. WaterDrain and Reason

(6) Per p.a. condition number 4(a) and reason

(7) Std. CMP and Reason

(8) Std. C&WMP and Reason

(9) Construction Hours – 07.00 to 18.00 Monday to Friday

08.00 to 14.00 on Saturday

No activity on Sundays and Public Holidays

(10) Per p.a. condition number 9 and Reason

(11) Per p.a. condition number 12 and Reason

(12) Per p.a. condition number 13 and Reason

(13) Per p.a. condition number 15 and Reason (add as (c) per condition number 4 (b))

(14) Std. S.48 (unspecified) and Reason

Board Member: _____ Date: 17th August 2016
Paddy Keogh