



An
Bord
Pleanála

Board Direction
PL29S.249415

The submissions on this file and the Inspector's report were considered at a Board meeting held on April 17th 2018.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

In coming to its decision, the Board had regard to the following:

- the site's location in Dublin city centre, within an established built-up area on lands with zoning objective Z5 City Centre '*to consolidate and facilitate the development of the central area and to identify, reinforce, strengthen and protect its civic design character and dignity*' in the Dublin City Development Plan 2016-2022;
- the policies set out in the Dublin City Development Plan 2016-2022;
- the provisions of the George's Quay LAP 2012
- the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities issued in March 2018 pattern of development in the area
- the provisions of the National Planning Framework; Ireland 2040 (2018) and Ministerial Guidelines issued March 2018
- the planning history within the area
- the pattern of existing and permitted development in the area
- the third party submissions and observations received
- the report of the inspector

it is considered that subject to the conditions as set out below, the proposed development would constitute an acceptable design response to the site and wider context, would represent an appropriate mix of uses in this urban location, would not seriously injure the residential or visual amenities of the area, would not detract from the character of the urban quarter, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of pedestrian and traffic safety and would therefore, 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 concurred with the planning authority's analysis and considered that the demolition of the No.44 Townsend Street (Ned's) and Moss Street tenements which are not listed on the record of Protected Structures was acceptable in terms of conservation best practice subject to a record being made of the existing buildings of historical note and would not diminish the character, appearance or quality of the local streetscape or urban quarter. The Board further considered that the height of the proposed development would be in accordance with the site specific zoning of the George's Quay LAP 2012 and in accordance with National Policy Objective 13 of Ireland 2040, the Government Draft National Planning Framework (2018) which states that; *"In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected"*. The Board considered that the proposed development did not materially contravene the Dublin City Development plan and accorded with Ministerial Guidelines. Furthermore, the Board considered that subject to the conditions set out below, the proposed development represented an acceptable mix of uses with an acceptable level of flexibility having regard to the varying types or residential tenure available and considered that the residential amenities of future occupants were in accordance with Ministerial guidelines published in 2018 for residential apartments.

Conditions

1. Plans and particulars
2. As per PA C24. Disability Access Condition
3. Std Materials and Finishes
4. Std Signage De Exemption Condition
5. As per PA C.7
6. As per PA C.8
7. As per PA C.9
8. As per PA C.10
9. Fumes and odour control Condition as per PA C11
10. As per PA C.12
11. Std Urban Drainage Condition
12. STD condition specifying that a Photographic Record shall be submitted to PA and Irish Architectural Archive of Existing Buildings of historical interest prior to demolition.
13. Naming Condition as per PA C14.
14. C & D Waste Management Plan
15. CMP incl. Traffic Management
16. Std Public Lighting Condition

17. Bond

18. As Per PA C 26

19. Part V Condition

20. S48 Un specified

21. S 49 Unspecified

Note: The Board had some concerns regarding universal accessibility arrangements in the hotel and aparthotel however it was satisfied that these matters were referred to by condition 2 and would be the subject of analysis by the Building Control Authority in the terms of obtaining a DAC prior to the commencement of works on site.

Note: Issue copy of Direction with the Order

Board Member

Date: 17.04.18

Paul Hyde