



An  
Bord  
Pleanála

**Board Direction**  
**BD-004456-19**  
**ABP-304950-19**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 06/11/2019.

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

### **Reasons and Considerations**

Having regard to the city centre location of the development, the pattern of development in the area, to the provisions of the Dublin City Development Plan 2016-2022 and to the nature, scale, layout and design of the proposed development, it is considered that the proposed development would provide for a strong and architecturally appropriate building on this site. Subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area or of adjoining property and would be acceptable in terms of traffic safety and convenience. The proposed 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 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. The Applicant shall comply with the conditions attached to the parent permissions pertaining to the development permitted under Register References ABP Ref. PL29S.247907 (DCC Reg. Ref. 3036/16), and ABP Ref. ABP300709-18 (DCC Reg. Ref. 3637/17) unless altered by this permission.

**Reason:** In the interests of orderly development.

3. The proposed development shall be amended to provide or an additional 71 no. cycle parking spaces at basement level.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

4. Standard ABP Construction Management Plan Condition.
5. 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, as amended.

The contribution shall be paid prior to 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 An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, 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.

6. The developer shall pay to the planning authority a financial contribution in respect of LUAS C1 Line Scheme 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, as amended. The contribution shall be paid prior to 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 An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, 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.

7. Prior to the commencement of development, the developer shall lodged with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and services required in connection with the

development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of security shall be as agreed between the planning authority and the developer or in default of agreement, shall be referred to An Bord Pleanála for a determination.

**Reason:** To ensure the satisfactory completion of the development.

**Plus: Standard ABP EV Condition For commercial developments (10%)**

**Board Member**

**Date:** 06/11/2019

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Terry Ó Niadh