



An
Bord
Pleanála

Board Direction
BD-005015-20
ABP-305652-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/01/2020.

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 planning history, to the city centre location of the development, to the pattern of development in the area, to the provisions of the Dublin City Development Plan 2016-2022 to the nature, scale, layout and design incorporated in the proposed amendments to the permitted development, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of adjoining property or the visual amenities of the area and 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 this 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 proposed development shall be carried out in accordance with the conditions attached to the parent permissions granted under planning register reference number 3036/16, An Bord Pleanála reference number PL 29S.247907, planning register reference number 3637/17 (An Bord Pleanála reference number PL 29S.300709), and planning register reference numbers 2415/19 and 2907/19 except as amended in order to comply with the conditions attached to this permission.

Reason: In the interest of clarity.

3. The proposed development shall be amended as follows:

(a) the terracotta fins in the cut back section over the office lobby entrance shall be retained,

(b) the framed parapet extension shall be retained throughout, and

(c) the external fins to the penthouse levels shall be retained

Reason: in the interest of visual amenity.

4. A total of 450 number cycle spaces shall be provided at basement level providing for key/fob access for the cycle compounds and wheel and frame locking. 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.

5. Prior to the commencement of development, details of the proposed loading bay arrangements for Poolbeg Street and Hawkins Street, which shall be provided, along with any other alterations to the road network which are required, at the applicant's expense, shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of clarity and orderly development.

5. A minimum of 10% of all the commercial parking areas serving the development shall be provided with electric connection points to allow for functional electrical vehicle charging. The remaining car parking spaces shall be fitted with ducting for electric connection points to allow for future fitout of charging points. Details of design and signage for the electrical charging points shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable transportation.

7. The developer shall ascertain and comply with the requirements of the roads and traffic planning division of Transport Infrastructure Ireland and the Operator of LUAS Cross City throughout the entirety of the demolition and construction stages to the satisfaction of the planning authority. All works shall be in accordance with the recommendations set out in the "Code of Practice for works on, near or adjacent to the LUAS Tramway".

Reason: In the interest of clarity, safety and convenience.

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, 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.

9. The developer shall pay to the planning authority a financial contribution in respect of the LUAS Cross City 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.

Board Member

Date: 23/01/2020

Paul Hyde