



An  
Bord  
Pleanála

**Board Direction**  
**BD-005481-20**  
**ABP-305853-19**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 20/03/2020.

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 Z5 zoning provision of the Dublin City Development Plan 2016-2022, the site's planning history, the Urban Development and Building Height Guidelines for Planning Authorities issued by the Department of Housing, Planning and Local Government in December 2018, the pattern of development and recent permissions in the area and to the nature and scale of the additional accommodation proposed, it is considered that, subject to compliance with the conditions as set out below, the proposed development would not seriously injure the visual amenities of the area, would respect the character and pattern development of the area and would not seriously injure the character of the adjoining Georgian building. 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 particulars 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 development shall be carried out and completed in accordance with the conditions attached to register reference numbers PL29N.249037 and 2954/18, except as may otherwise be required in order to comply with the following conditions.

**Reason:** In the interest of clarity and the proper planning and sustainable development of the area.

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

**Reason:** In the interest of visual amenity.

4. All eastern elevation windows facing directly onto the residential apartments on the upper floors of the mews buildings backing onto the side laneway 'Abbey Cottages' shall be finished in obscure glazing.

Revised drawings reflecting the requirements of this condition shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

**Reason:** In the interests of orderly development, visual and residential amenity.

5. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and residential amenity.

6. 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 authorised by a further grant of planning permission.

**Reason:** To protect the residential amenities of property in the vicinity and the visual amenities of the area.

7. 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.

8. 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:** 20/03/2020

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Paul Hyde