



An
Bord
Pleanála

Board Direction
BD-011185-22
ABP-311971-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 29/08/2022.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000, as amended. The Board also decided, based on the Reasons and Considerations set out below that the planning authority be directed, as follows:

Attach condition number three

Reasons and Considerations

Having regard to the nature and scale of the proposed development, the provisions of Dublin City Development Plan 2016-2022 including the 'Z4' zoning objective (to provide for and improve mixed-services facilities), it is considered that, subject to the attachment of conditions attached by the planning authority, including condition number three that is the subject matter of the appeal, the proposed development would not seriously injure the visual or residential amenities of the area and would otherwise be an appropriate form of development at this location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the inspector's de novo assessment and the omission of condition number three or a similar condition, the Board considered that it was appropriate to treat the appeal under Section 139 of the Planning Act, 2000, as amended, and that the attachment of condition number three set out in the schedule of conditions attached by the planning authority would satisfactorily address the relevant issues relating to residential and visual amenity. The Board considered that with the attachment of the planning authority schedule of conditions including condition number three in particular, the form of the development would not seriously injure the visual or residential amenities of the area and would otherwise be an appropriate form of development at this location.

Board Member: Patricia Calleary **Date:** 29/08/2022
Patricia Calleary