



An  
Bord  
Pleanála

**Board Direction**  
**BD-011361-22**  
**ABP-312766-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/10/2022.

The Board decided to grant permission to retain and complete the subject development 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 location of the site in a central urban area within the curtilage of an existing hospital, to the Z15 zoning objective for community and institutional uses that applies to the site under the Dublin City Development Plan 2016-2022, to the other provisions of the plan including policies CEE20 and CHC2, and to the scale and design of the subject development that is proposed to be retained and completed and the pattern of development in the vicinity, it is considered that the subject development that is proposed to be retained and completed would be appropriately located and would have a positive impact on the character of Eccles Street and the north Georgian core of Dublin and would not detract from the setting of any of the protected structures there. The development that is proposed to be retained and completed would therefore be in keeping with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 22<sup>nd</sup> day of December 2021, 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 within six months of the date of this order and the development shall be retained and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. (a) The external façade to the south, along Eccles Street shall generally be in accordance with the details submitted to the planning authority at further information stage and shall not include the section of curtain glazing from the 3<sup>rd</sup> to 5<sup>th</sup> floors which shall instead predominately comprise light coloured rendered wall.

(b) Taking cognisance of condition 2(a) above, a drawing of the revised elevational treatment and samples of the external finishes shall be submitted and agreed in writing by the planning authority prior to their installation on the permitted development.

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

3. The treatment of the area between the permitted building and the public street shall be in accordance with the details submitted to the planning authority as further information, unless otherwise agreed in writing with the planning authority. The developer shall submit details of the management of the ambulance bay for the written agreement of the planning authority within six months of the date of this order.

**Reason:** To protect the amenities of the street and the pedestrian environment upon it.

4. Water supply and drainage arrangements, including the [attenuation and] disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

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 within four weeks of the date of this order. This plan shall provide details of construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste. It shall include the noise attenuation measures set out in the details submitted to the planning authority

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

6. 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 within six months of this permission 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. 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 within 6 months of the date of this permission 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

Board Member

*Patricia Calleary*

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Date: 11/10/2022