

An
Bord
Pleanála

Board Direction
BD-016261-24
ABP-314738-22

The submissions on this file and the Inspector's report were considered at Board meetings held on 26/10/23 and 09/05/2024.

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

Remove condition numbers 2 and 3

Reasons and Considerations

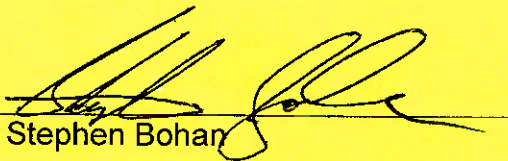
Having regard to:-

- the Section 48 Development Contributions Scheme, 2020-2023 Section 49 Supplementary Development Contributions Scheme, (LUAS Cross City – St Stephens Green- Broombridge) adopted by Dublin City Council,
- to the original single historic plot of No 28 Fitzwilliam Square which extends from the frontage onto Fitzwilliam Square South of the south side of the coach house building to the frontage onto the rear service lane (Kingram Place) which is to remain unaltered.
- to the use of the coach house, with no increase in floor area, for storage at ground level and residential use at upper floor level which has not lapsed, and which is ancillary the residential use of the main dwelling

- to the demolition of the existing extension and the addition of a new conservatory to the main house which results in a reduction in the total floor area for extensions and additions and which does not exceed forty square metres,

it is considered that the planning authority did not correctly apply the terms and conditions of the Section 48 Development Contributions Scheme, 2020-2023 and the Section 49 Supplementary Development Contributions Scheme, (LUAS Cross City – St Stephens Green- Broombridge) in attaching Condition Nos 2 and 3 to the grant of permission.

Board Member:


Stephen Bohan

Date: 09/05/2024