

An
Bord
Pleanála

Board Direction
BD-016532-24
ABP-318027-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 05/06/2024.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the planning history of the site, the nature, scale and extent of the proposed development, to the established built form at the subject site, to the pattern of development in the area and to the relevant provisions of the Dublin City Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the development for which retention permission is sought, would not seriously injure the amenities of the area, including property in the vicinity, and would be acceptable in terms of visual impact and in terms of residential amenity within the overall scheme. The development for which retention permission is sought, would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered in full and accepted as reasonable, the amendments put forward by the applicant at appeal stage, to address directly the reasons for refusal as set out in the Planning Authority decision. Specifically, the amendments put forward, relating unit mix, size and certain internal layout configurations, such as storage area, addressed the specific concerns of the planning authority, but would not materially alter the nature of the development, in terms of the number of units, nor

the form and scale of the established building form. In this regard the Board determined that the amendments would not be considered a material departure from the original proposal with consequent new issues of planning relevance. The Board did not therefore share the opinion of the inspector, that it would be inappropriate to consider the information supplied at appeal stage, given the modest change offered therein, with no outward planning impacts, yet with a specific approach to addressing the three net reasons for refusal of the planning authority.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 14th day of September 2024, 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.

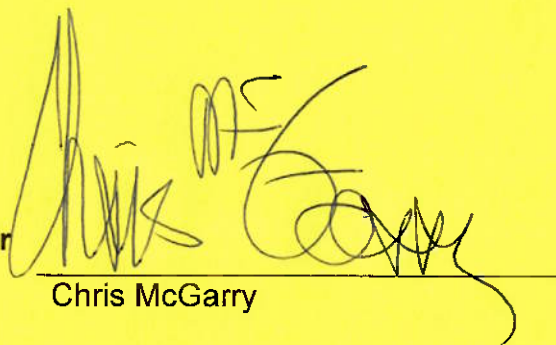
2. Revised plans and particulars, detailing the amendments of the respective residential units, as per condition number 1 above, shall be submitted to the planning authority for the purposes of placement on the planning file.

Reason: In the interest of clarity.

ATTACH CONDITIONS AS FOLLOWS:

PART V CONDITION.
MANAGEMENT COMPANY CONDITION
A NAMING AND NUMBERING CONDITION
SECTION 48 DEVELOPMENT CONTRIBUTION.

Board Member



Chris McGarry

Date: 10/06/2024