



An  
Bord  
Pleanála

**Board Direction**  
**BD-018288-24**  
**ABP-320239-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 22/11/2024.

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 nature and scale of the proposed development which does not involve any external works, the planning history for the site which includes previously approved amendments to the atrium space, the relevant provisions of the Dublin City Development Plan 2022-2028 including Policies SC19 and BHA9 and Section 15.14.4, in addition to the 'Z6' zoning objective for the area, it is considered that, subject to compliance with the conditions set out below, the scale and nature of the development is acceptable. The proposed development would comply with local design guidance and would not seriously injure the visual amenity of the area. The development is, therefore, 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 on 3 <sup>rd</sup> day of May 2024, except as may otherwise be required in order to comply with the following
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	<p>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.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted on the 29th day of January, 2018 under planning register reference number 4166/16 (ABP appeal Reference PL 29S.248884) and any agreements entered into thereunder.</p> <p><b>Reason:</b> In the interest of clarity</p>
3.	<p>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.</p> <p><b>Reason:</b> 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.</p>

4. The developer shall pay to the planning authority a financial contribution in respect of Luas Cross City 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**

  
Martina Hennessy

**Date:** 22/11/2024