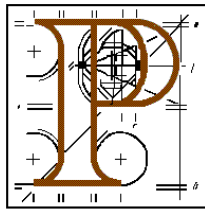


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 3055/15

An Bord Pleanála Reference Number: PL 29S.245667

APPEAL by Creighton Street Residents care of Shannon Guzman of 5 Creighton Street, Dublin against the decision made on the 7th day of October, 2015 by Dublin City Council to grant subject to conditions a permission to Hibernia REIT Plc care of John Spain Associates of 50 Upper Mount Street, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Minor amendments to planning register reference numbers 4071/09 and 2270/15 for a mixed use development. The proposed amendments to the permitted development comprise of the relocation of the permitted substation from a location on Hanover Street East (as permitted under planning register reference number 2270/15) to ground floor level of number 19 Creighton Street, with access from a previously permitted service access corridor from Creighton Street. The substation will be increased in size from a single to a double substation with associated electrical plant rooms. The proposed development includes all associated and ancillary works, including an increase of 0.82 metres (from 2.18 metres to 3.0 metres) in the width of the previously permitted service access corridor from Creighton Street, a consequential reduction in the size of the ground floor retail unit on Creighton Street of circa 14 square metres (from 274 square metres to 260 square metres gross) and a reduction in the size of a first floor residential unit of circa 8.2 square metres (from 93 square metres to 85 square metres gross). The proposed development will result in a marginal reduction of circa 53 square metres in the gross office floor space of the development, all at 1-4 Windmill Lane, 1-3 Hanover Street and 19-20 Creighton Street, Dublin.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the central location of the site in the Dublin city centre, to the Z5 zoning objective which applies to it under the Dublin City Development Plan 2011-2017, and to the location of the proposed substation behind frontage which is proposed to be retained in the development it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely affect the character of the area or seriously injure the amenities of property in the vicinity and would appropriately conserve the surviving elements of the historic built fabric located on the site. The proposed development would, therefore, be 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, as amended by the further plans and particulars submitted on the 10th day of September 2015, 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. 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 permissions granted on 27th day of May, 2015 under planning register reference number 2270/15 and 21st day of April, 2011 under planning appeal reference number PL29S.237295 (planning register reference number 4071/09), and any agreements entered into thereunder.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permissions.

3. 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.

4. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.