

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 3896/15

An Bord Pleanála Reference Number: PL 29S.246004

APPEAL by Hogan Management Limited care of NJBA Architects and Urban Designers of 34 Upper Baggot Street, Dublin against the decision made on the 10th day of December, 2015 by Dublin City Council to grant subject to conditions a permission to Alcove Developments Limited care of KMD Architecture of Top Floor, 3 Westland Square, Pearse Street, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Development consisting of modification and minor revisions to the granted permission planning register reference number 3737/09) at 10-12 Hogan Place, Dublin. Permission is sought for a modest increase to the parapet height of 1.95 metres above the granted permission achieving 22.95 metres in total above ground level. Amendments to also include, the increase in size of the existing basement under the building footprint to incorporate cycle storage, showers, lockers, plant room, the rearrangement of the lobby and retail areas on ground floor level, and the increase in the extent of the low external louvered screen to the open roof top plant area. Minor alterations to also include the repositioning of external screens and doors to the external elevations and alterations with respect of the general changes to the building as indicated on the drawings. There is no increase in the office or retail floor areas. The basement car park, and podium courtyard to the rear of the building remain unaffected.

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 nature and limited extent of the development proposed, to the planning history of the site, to the pattern of development in the area and to building height provisions set out in the Dublin City Development Plan 2011–2017, it is considered that, subject to compliance with the conditions set out below, the proposed modifications and amendments to this building would comply with the provisions of the Development Plan, would not seriously injure the visual or residential amenities of the area or of property in the vicinity in light of the existing planning permission. The proposal would, therefore not, be contrary to 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, 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. The terms and conditions of the planning permission granted under planning authority application planning register reference number 3737/09 shall be fully complied with, except where modified by this permission.

Reason: In the interests of clarity having regard to the nature of the proposed development as an amendment of planning authority application planning register reference number 3737/09.

3. 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 prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:
 - (a) location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
 - (b) location of areas for construction site offices and staff facilities;
 - (c) details of site security fencing and hoardings;
 - (d) details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
 - (e) measures to obviate queuing of construction traffic on the adjoining road network;
 - (f) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
 - (g) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
 - (h) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
 - (i) containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;

- (j) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil; and
- (k) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

Reason: In the interest of amenities, public health and safety.

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

Dated this day of 2016.