An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 2914/15

An Bord Pleanála Reference Number: PL 29N.246325

APPEAL by Portside Management Company Limited care of P.J. Mulvihill of 39A Castle Avenue, Clontarf, Dublin against the decision made on the 23rd day of February, 2016 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: New single storey 18-square metre bin store on part of existing open space at Portside Court, East Wall, Dublin.

DECISION

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to AMEND condition number 3 so that it shall be as follows for the reason set out:

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3. The number of bins located in the bin store shall be increased to seven.

Reason: To improve the proposed waste facilities.

REASONS AND CONSIDERATIONS

In deciding not to accept the Inspector's recommendation, the Board considered that the provision of a bin store would constitute an improvement in amenity for all residents. In this context, it was further considered that the relocation of the bin store, in accordance with Condition 3, would compromise the function of the open space, would detract from the visual amenity of the entrance to Portside Court, and would injure the visual and residential amenity of 5 Portside Court. Having regard to its height relative to the existing wall, and the enclosure of the store, the Board was satisfied that the location of the bin store as applied for would not seriously injure the visual or residential amenity of property on West Road.

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.

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

Dated this day of 2016.

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