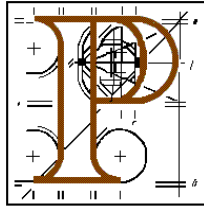


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 2200/16

An Bord Pleanála Reference Number: PL 29S.246667

APPEAL by Rory O'Donoghue of 7 Clandon Terrace, Kingston Road, Raynes Park, London against the decision made on the 4th day of May, 2016 by Dublin City Council to grant subject to conditions a permission to RGRE Grafton Limited care of John Spain Associates of 39 Fitzwilliam Place, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Change of use of the existing ground floor lobby, second, third and fourth floors of the existing building from office accommodation to guesthouse accommodation. The proposed guesthouse will comprise 16 number bedrooms and ancillary accommodation including breakfast room and reception. The total gross internal floor area of the guest house will be circa 556 square metres. The development also includes elevational amendments to the Grafton Street and Harry Street elevations including: on Grafton Street and Harry Street this includes new windows to be fitted to the existing brick opes from 1st to 3rd floor. On Harry Street, works to the elevation include new conservation style roof lights to existing roof at 4th floor level, and a new entrance door and replacement signage to existing ope at number 2 Harry Street. A new roof enclosure to the fourth floor walkway with finish to match existing roof is also proposed with consequent amendments to south and east elevations. New door and window to fourth floor extension. Nine solar panels in line with proposed new roof slope and upgrade of existing windows on southern elevation. All at 70 Grafton Street and 1 and 2 Harry Street with rear access from Chatham Lane, 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 provisions of the current Dublin City Development Plan and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety and convenience. 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 8th day of April, 2016, 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. Details of all external signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. (a) Notwithstanding the provisions of the Planning and Development Regulations, 2001, or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements, other than those agreed in writing with the planning authority under condition number 2 above, shall be displayed or erected on the building or within the curtilage of the site, unless authorised by a further grant of planning permission.

(b) No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

4. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of and the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

5. The site development and construction works shall be carried out in such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material and cleaning works shall be carried out on the adjoining public roads by the developer and at the developer's expense on a daily basis.

Reason: To protect the residential amenities of property in the vicinity.

6. 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 or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

7. The developer shall pay to the planning authority a financial contribution in respect of Metro North 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.

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

Dated this day of 2016.