

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 2166/16

An Bord Pleanála Reference Number: PL 29S.246993

APPEAL by Dorothy Gray care of Joe Bonner of 127 Lower Baggot Street, Dublin and by Eliza Lodge Limited care of Fewer Harrington and Partners of Studio 14, The Atrium, Maritana Gate, Canada Street, Waterford against the decision made on the 5th day of July, 2016 by Dublin City Council to grant subject to conditions a permission to the said Eliza Lodge Limited in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Provision of 21 number additional en-suite guest bedrooms consisting of the following:- internal alterations to the existing second floor to facilitate change of use of three number apartments (one number two bedroom and two number one bedroom) to seven number new guest bedrooms, provision of two number additional floors providing 14 number new guest bedrooms, new roof garden and all associated site works to facilitate proposed development at Eliza Lodge Guesthouse, 24 Wellington Quay, 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 Dublin City Development Plan, the location of the proposed development, to the existing and surrounding uses and to the pattern of development in the area, it is considered that subject to compliance with the conditions as set out below, the proposed development, would be in accordance with proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the inspectors concern with regard to loss of residential amenity could be overcome by condition. Furthermore, the Board considered that an additional two floors would be visually acceptable and would not injure the visual amenities of the area but rather would enhance the visual cohesion 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 June 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. The roof garden shall be used solely for the benefit of permanent residents of the building and shall not be for the use of patrons of the guesthouse use.

Reason: In the interest of the residential amenity of permanent occupants.

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 hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

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 residential amenities of property in the vicinity.

- 5 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.

Reason: 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.

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

Dated this day of 2016.