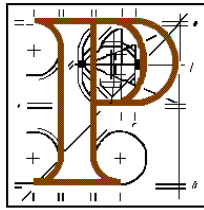


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Dublin City

Planning Register Reference Number: 3278/16

An Bord Pleanála Reference Number: PL 29S.247313

APPEAL by An Taisce of The Tailors' Hall, Back Lane, Dublin against the decision made on the 30th day of August, 2016 by Dublin City Council to grant subject to conditions a permission to IPUT plc care of MCA Architects of 4 Hanover Wharf, Asgard Road, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Modifications to previously granted planning application, application reference number: 2659/16. Changes to consist of increase in floor area on level 4 (9.5 square metres) and on level 5 (82 square metres) and resulting modifications to the façade on level 4 and 5 at numbers 17 and 18 Dawson Street and numbers 39 and 40 Molesworth 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 planning history of the site, to the pattern of development in the area and to the corner site location within the central city area subject to the Z5 zoning objective which seeks to identify, reinforce, strengthen and protect the civic design character and dignity of the area according to the Dublin City Development Plan, 2016-2022, it is considered that subject to compliance with the conditions set out below, the proposed development would satisfactorily integrate into the context and setting of Saint Ann's Church (a protected structure) and into the sensitive historic streetscape within the environs of a Conservation Area. 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 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 development shall be carried out in accordance with the terms and conditions attached to the grants of permission under planning authority register reference numbers: 2659/16 and 3384/15 except as amended, to conform with the provisions indicated on the plans and particulars lodged with the current application and with the following conditions.

Reason: In the interest of clarity.

3. Prior to commencement of development, the developer shall submit to, and agree in writing with, the planning authority details of all the materials, textures and colours for the external facades including fenestration.

Reason: In the interest of visual and residential amenity.

4. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. No surface water shall be allowed to discharge onto the public road or adjoining properties.

Reason: In the interest of orderly development and public health.

5. No additional development shall be erected above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment including the satellite dish shown on the roof plan unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

6. Hours of construction shall be confined to the hours of 0800 and 1900 hours Monday to Friday excluding bank holidays and 0800 hours and 1400 hours on Saturdays only. 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 amenities of the area.

7. 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 2017.