

# Board Order PL 29S.248260

Planning and Development Acts 2000 to 2017

**Planning Authority: Dublin City Council** 

Planning Register Reference Number: 2019/17

**Appeal** by Declan Ryan care of Marston Planning Consultancy of 23 Grange Park, Foxrock, Dublin against the decision made on the 2<sup>nd</sup> day of March, 2017 by Dublin City Council to grant subject to conditions a permission to Tadhg Campion care of Brock McClure Planning and Development Consultants of 63 York Road, Dun Laoghaire, County Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Retention of the change of use from residential to office within this building. If permitted, condition number 5 of planning register reference number 0008/93 will be amended by way of this development on lands (circa 93 square metres) at The Mews, 1 Charlemont Place, 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 size and configuration of the site and the permitted mews building relative to the existing adjoining property at number 9 Harcourt Terrace, to the transitional site location within areas subject to zoning objectives in which office use of the scale and nature of the proposed office at the site is permissible in principle, to the nature of the proposed office use relative to the permitted residential use and to the entrance and frontage, off street cycle and vehicle parking off the lane connected to Charlemont Mall, it is considered that, subject to compliance with the conditions set out below, the proposed change of use would not seriously injure the residential amenities of adjoining property, would not adversely affect the architectural integrity of the conservation area in which Harcourt Terrace is located, would be in accordance with the development objectives for the area and with the proper planning and sustainable development of the area.

## **Conditions**

The development shall be retained in accordance with the plans and particulars lodged with the application, except as may otherwise be required 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 and the development shall be completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

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

**Reason:** To ensure adequate servicing of the development, and to prevent pollution.

3. 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 within three months of the date of this order 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

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