



An
Bord
Pleanála

Board Order PL 29S.249055

Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: 2449/17

Appeal by An Taisce of Tailors' Hall, Back Lane, Dublin against the decision made on the 19th day of July, 2017 by Dublin City Council to grant subject to conditions a permission to BAM Property Limited care of David Mulcahy Planning Consultants Limited of 67 The Old Mill Race, Athgarvan, Newbridge, County Kildare in accordance with plans and particulars lodged with the said Council:

Proposed Development: Modification to the development permitted under planning register reference number 2182/16 (student accommodation scheme with ancillary office development). Specifically, the development consists of the demolition of a vacant structure (circa 38 square metres gross floor area) on the east side of Warrenmount Lane which was previously granted permission to be converted into two-storey office use (95 square metres gross floor area) under planning register reference number 2182/16. The demolition includes part of the boundary wall which forms part of this vacant structure. The office floorspace will instead be located in a first floor structure (circa 65.2 square metres gross floor area, including WC and kitchenette) over permitted single storey gym building under planning register reference number 2182/16. The permitted single storey gym building will be modified as follows: increase in height from 5.25 metres to 6.9 metres and moved circa 500

millimetres away from the western boundary wall. All associated site works including external metal staircase to rear of gym building, hard landscaping and steps in place of vacant structure and access gate to be added at northwest of Core A, at the junction of Mill Street and Blackpitts (bounded by Warrenmount 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 Z10 zoning objective and planning history of the site, to the design and layout of the proposed development and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area and would not adversely affect the setting or appearance of the neighbouring Protected Structure. 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 information submitted to the planning authority on the 23rd day of June, 2017, 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 terms and conditions of the permission for the original development, which was issued under planning register reference number 2182/16 shall be fully complied with, except where modified by this permission.

Reason: To provide for an acceptable standard of development.

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 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.

