



An  
Bord  
Pleanála

## Board Order PL 29S.249110

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### Planning and Development Acts 2000 to 2017

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3084/17**

**Appeal** by Saint Audoen's National School care of Eilish Meagher of Saint Audoen's National School, Cook Street, Dublin and by others against the decision made on the 31<sup>st</sup> day of July, 2017 by Dublin City Council to grant subject to conditions a permission to Dublin Simon Community care of RPS Group Limited of West Pier Business Campus, Dun Laoghaire, County Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** (1) The demolition of the existing Dublin Simon Community facilities (circa 1,240 square metres) and (2) the construction of an expanded Medical Residential Treatment and Recovery Centre comprising of a new five/six-storey building over partial basement with a maximum overall height of circa 25.6 metres OD (including plant/lift overrun) and a total gross floor area of circa 4,152 square metres (excluding basement level). The new building will include: 70 number bedrooms en-suite; meeting rooms and living spaces; a canteen, kitchen and associated cleaning room; treatment rooms, GP's room, nurses' bases and staff offices; a gym and associated changing facilities; staff, patient and visitor wcs; utility and laundry rooms; storage rooms (including separate bicycle store and waste store); a circa 163 square metres sedum roof at fifth floor level; and associated circulation spaces, lobby areas, stair and lift cores, plant rooms, substation, switch room, attenuation tank and other ancillary service areas. The development will also

include: an enclosed courtyard at lower ground floor level (circa 40 square metres); a courtyard and terrace at ground floor level (circa 51.5 and circa 19.8 square metres); a terrace at first floor level (circa 65 square metres) and associated landscaping, boundary treatments, drainage arrangements and site development works, all at Numbers 25 to 26 Ushers Island and Island House, Island Street, Dublin. The site is bound to the north by Ushers Island, to the south by Island Street, to the west by Watling Street and to the east by Viking Harbour apartments. The circa 1,059 square metres subject site (includes circa 98.5 square metres of lands) that are also within the ownership of Dublin City Council.

## **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 zoning objective for the site, the pattern of development in the vicinity, the number of other homeless services within 500 metres of the site, and the policies of the Liberties Local Area Plan and of the current Dublin City Development Plan for the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenity of the area and would not detract from the character or setting of the adjacent Protected Structures. 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. A schedule and appropriate samples of all materials to be used in the external treatment of the development, to include proposed brick, cladding, roofing materials, windows, doors and gates, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To ensure an appropriate standard of development.

3. Use of the facility hereby permitted shall be limited to the use as specified within the content of this application. Any change of use or material alteration to the use hereby permitted shall be the subject of a prior planning application.

**Reason:** In the interests of orderly development and the proper planning and sustainable development of the area.

4. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:
  - (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and
  - (b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:

- (i) the nature and location of archaeological material on the site, and
- (ii) the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

**Reason:** In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

