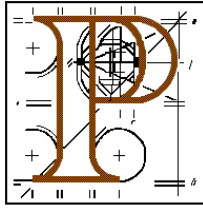


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Dublin City Council

Planning Register Reference Number: 3223/17

An Bord Pleanála Reference Number: ABP-300327-17

Appeal by Andrew McDowell care of Magahy Broderick Associates of 123 Lower Baggot Street, Dublin against the decision made on the 7th day of November, 2017 by Dublin City Council to grant subject to conditions a permission for the proposed development.

Proposed Development: Retention permission for variation to the permitted development (Dublin City Council reference 3279/08), whereby permission is sought to continue to protect the basement from ingress of water by means of a pumping station discharging to the public sewer at 22 Carlisle Street, South Circular Road, Dublin.

Decision

REFUSE permission for the above proposed development based on the reasons and considerations 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 Dublin City Development Plan 2016-2022 according to which the site location is subject to the zoning objective, Z2 – “To protect and/or improve the amenities of Residential Conservation Areas”, and, to condition number 2 attached to the original grant of permission under planning register reference number 3279/08 which contains the requirement that the excavation and basement works be implemented so as to ensure that there is no adverse impact on the water table or stability of the adjoining properties, it is considered that the proposed continuation of protection of basement from water ingress by means of a pumping station with discharge to the public sewer by means of the previously permitted arrangements for protection of the basement from water ingress during excavation and construction constitutes substandard development. The proposed development would seriously injure the residential amenities, would devalue property in the vicinity and would set undesirable precedent for further similar development. The proposed development would, therefore, be contrary to the proper planning and development of the area.

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

Dated this day of 2018