



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1499/17

Appeal by Kieran Corrigan of 31 Grand Canal Street Upper, Dublin against the decision made on the 26th day of March, 2018 by Dublin City Council to grant subject to conditions a permission to Paul McKenna 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 approved mews dwelling house (planning reference number WEB1289/17) to include additional basement level accommodation (82 square metres). The site (0.017 hectares) is to the rear of Number 29 Grand Canal Street Upper, Ballsbridge, Dublin, accessed only from Cranmer Lane.

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 design and appearance of the proposed mews house and basement, and having regard to the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely impact on the structures adjacent to the appeal site, would not seriously injure the visual amenities of the area or residential amenities of property in the vicinity and would not adversely impact on the character of the adjacent Residential 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, as amended by the further plans and particulars submitted on the 28th day of February, 2018, 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 excavation and construction of the basement shall be carried out in accordance with the methodology, as submitted to the planning authority on the 28th day of February, 2018, and in accordance with best practice.

Reason: In the interest of ensuring the structural stability of adjoining property during the construction process.

3. The basement hereby permitted shall be used for garage and storage purposes only and shall not be used for habitable accommodation.

Reason: In the interest of orderly development.

4. The terms and conditions of the permission for the original development, which was issued under register reference numbers WEB1289/17, shall be fully complied with, except where modified by this permission.

Reason: In the interests of proper planning and development.

5. 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.

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

Dated this day of 2018.