



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council North

Planning Register Reference Number: 2591/18.

Appeal by Antoin Conroy care of BMA Planning of 128 Lower Baggot Street, Dublin against the decision made on the 21st day of May, 2018 by Dublin City Council to refuse permission to the said Antoin Conroy for the proposed development.

Proposed Development: Development consisting of material alteration and change of use of the existing vacant basement units (permitted as medical consultancy/office use under planning Register Reference number 4260/07) to residential to accommodate three number apartments comprising one number studio apartment (37 square metres), one number one bedroom apartment (78 square metres), and one number two bedroom apartment (88 square metres) with individual external stair accesses from street level and internal access from existing stair/left core at number 50 Parnell Square West. Permission is also sought for all associated site and development works, including minor alterations to rear facade at basement level to provide an additional window, development all at 49-51, Parnell Square West, 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 nature of the proposed residential accommodation for the purposes of housing accommodation to be managed and provided by a registered charitable organisation for the homeless (the Dublin Simon Community) in addition to accommodation already provided by the same organisation in the same premises, it is considered that, subject to compliance with the conditions set out below, the single management of all residential units would safeguard residential amenities in this overall development and would be acceptable in terms of standards of accommodation by reference to “Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities” issued by the Department of Housing, Planning and Local Government in March 2018. Furthermore, the proposed development would comply with Development Plan policies with respect to housing for homeless and civic design, would satisfactorily integrate with the streetscape and would be acceptable in terms of residential and visual amenities of the 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, 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. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

3. Landscaping of the outdoor spaces serving the proposed development shall be carried out in accordance with a landscaping scheme which shall include planted green walls, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

4. The roof garden shall be available to residents and details of access arrangements shall be submitted to, and agreed in writing with, the planning

authority prior to commencement of development.

Reason: In the interest of residential amenity.

5. Cycle parking shall be provided within the development in accordance with development plan standards and details shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential amenity.

6. The management and maintenance of the proposed development following its completion shall be the responsibility of the Dublin Simon Community. The development shall be managed and used in conjunction with the existing apartments owned by the Dublin Simon Community at 49-51 Parnell Square West and shall not be let or sold separately as self-contained residential units (as outlined in documentation submitted to An Bord Pleanála on the 18th day of December, 2018).

A management scheme providing adequate measures for the future maintenance of the public realm such as public and semi-private open spaces (including basement areas), roof garden, communal areas and facade (including windows) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity in an area of conservation importance, and having regard to the stated purpose of the proposed development.

7. A plan, containing details of the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.

8. 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 the 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 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.

Terry Ó Niadh

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

Dated this day of 2018.