



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 4554/17

Appeal by Glasnevin SPV Limited care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 26th day of July, 2018 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: The provision of a new residential development consisting of (a) erection of 12 number apartment units comprising one number one-bedroom and 11 number two-bedroom units with private terrace/balcony areas in two number four-storey apartment buildings fronting Botanic Road, (b) erection of 19 number houses comprising 16 number four-bedroom and three number three-bedroom units with private rear gardens (17 number houses will also contain a terrace area to the front elevations), (c) 47 number car parking spaces, bicycle parking and refuse area at basement level (with access to and from Botanic Road), (d) central courtyard area, (e) paving and landscaping works to include tree planting and provision of green areas, (f) restoration and upgrade works to the site boundaries, (g) re-orientation of existing footpath along Botanic Road, (h) installation of street lighting, (i) surface water and foul drainage, (j) demolition of 'The Addison Lodge', a two storey public house and 'Glasnevin Lodge', a two-storey house with attic floor

level and all existing out-buildings and (k) all other site works necessary to facilitate the development at 'The Addison Lodge' and 'Glasnevin Lodge', Botanic Road, Dublin.

Decision

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 3 and the reasons therefor, and to AMEND condition number 4 so that it shall be as follows for the reasons set out.

4. The proposed development shall be amended as follows:
 - (a) House Type D2 to the north of the site shall be omitted,
 - (b) the resultant open space:
 - (i) shall be designated as communal space forward of the building line of the terrace's units, and
 - (ii) shall be incorporated into the private open space of the northernmost terraced units behind the building line, and
 - (c) House Types B and C shall be omitted and replaced with House Type A resulting in six number House Type A terraced units to the west of the communal open space and seven number units to the east.

Revised drawings, including landscape details and demonstrating compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual amenity of the streetscape and adjoining properties and residential amenity of future occupants.

Reasons and Considerations

Having regard to the planning history and pattern of development and to the proposed layout, it is considered that, subject to compliance with the conditions otherwise attached by the planning authority, the proposed development, including House Type E, the three storey high terraced dwellings and communal space in areas generally marked A and B and the varied house layout, would comply with statutory Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns & Villages) issued by the Department of the Environment, Heritage and Local Government in May 2009 and with Development Plan policy with respect to the integration of the proposed development and provision of open space and interface with the public realm, would be acceptable in terms of the residential and visual amenities of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

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.

Terry Ó Niadh

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2019.