



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 3864/18

Appeal by The Complex Productions Company Limited care of Donnelly Turpin Architects of 56 Camden Street Lower, Dublin in relation to the application by Dublin City Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 2 and in relation to the inclusion of special contribution condition number 3 of its decision made on the 11th day of December, 2018.

Proposed Development: The development will consist of change of use from warehouse to new live art studios, gallery and performance spaces with associated and ancillary accommodation. The works will include internal alterations to the existing building structure and minor works to the building frontages. Internal works will include the removal of partitions and the formation of new door openings, the addition of toilets, stairs and ramps throughout the building, the provision of small studio spaces, a café and ancillary spaces, and the addition of approximately 300 square metres new floor area at the upper level. Externally, the works include new double glazed doors/windows at ground level in what are currently the vehicular entrances, replacement of the remainder of the windows on Arran Street East, new windows to the currently blocked up openings to number 12 Marys Abbey, a new 1.4 metre wide roller shuttered opening in the wall to Meetinghouse Lane

and re-painting of the street frontages of the premises, all at 21-25 Arran Street East and 10 and 12 Mary's Abbey and west side of Meetinghouse Lane, Dublin.

Decision

The Board considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of condition number 2 and directs the said Council under section 48 of the Planning and Development Act, 2000, as amended, to REMOVE the said condition number 2.

Furthermore, the Board considered, based on the reasons and considerations set out below, that the terms of the Supplementary Development Contribution Scheme for the area had not been properly applied in respect of condition number 3 and directs the said Council under section 49 of the Planning and Development Act, 2000, as amended to REMOVE the said condition number 3.

Reasons and Considerations

The Board, in accordance with section 48 and section 49 of the Planning and Development Act, 2000, as amended, considered that the terms of the Dublin City Council Development Contribution Scheme 2016-2020 and the Luas Cross City Supplementary Development Contribution Scheme whereby development to be used for social, recreational or religious purposes and not to be used for profit or gain is exempted from the requirement to pay development contributions, the Board considered that the schemes had not been properly applied in respect of conditions numbers 2 and 3 and directs the said Council to remove the conditions.

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.

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2019.