



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: 3701/18

Appeal by Karl Bennett care of Eamon O'Boyle and Associates of 51 Cullenswood Road, The Triangle, Ranelagh, County Dublin against the decision made on the 10th day of April, 2019 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of the change of use of the third and fourth floor from office to a boxing club/small group classes and the construction of a new emergency external stairs to the rear elevation with access to each floor and necessary ancillary works at Greenside House, 45 to 47, Cuffe Street, 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 ATTACH condition number 4 and to REMOVE condition number 5 and the reasons therefor,

Reasons and Considerations

1. Having regard to the nature of the development proposed for retention and of the proposed development, to the nature of the existing office use on the second floor, and the fact that the terms of condition number 4 match the operating hours stated in writing by the applicant in further information submitted to the planning authority on the 16th day of October, 2018, it is considered that the restriction of operating hours as set out in condition number 4 is appropriate, in order to protect the amenities of the adjoining uses within the existing building.
2. Having regard to the nature of the development proposed for retention and of the proposed development, to the nature of adjoining uses within the existing building, and to the terms of condition number 4, it is considered that the restriction in the duration of the permission as set out in condition number 5 is unnecessary in this instance.

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.

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

Dated this day of 2019.