



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: 2907/19

Appeal by Mark Conan care of John Bird of 30 Idrone Close, Knocklyon, Dublin and by Denise and Elaine Anthony care of Brendan J. Walsh of 39 Clarinda Park East, Dún Laoghaire, County Dublin against the decision made on the 26th day of June, 2019 by Dublin City Council to grant subject to conditions a permission to Atlas GP Limited care of Brady Shipman Martin of Canal House, Canal Road, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Permission for development at a site of 0.5 hectares at Apollo House, Tara Street; 9-11 Townsend Street (including the Long Stone Pub); College House Numbers 2 - 3 Townsend Street and the Screen Cinema, 16 - 19 Hawkins Street, Dublin. The site is bounded by Townsend Street to the south, Tara Street to the east, Hawkins Street to the east, Hawkins House to the north and west and Poolbeg Street to the north. The development consists of the amendment of previous permissions relating to College House and the former Screen Cinema (planning register reference number 3637/17, An Bord Pleanála reference number PL 29S.300709) and the former Apollo House (planning register reference number 3036/16, An

Bord Pleanála reference number PL 29S.247907) as follows: 1. The proposed development consists of the extension, amalgamation and reorganisation of the permitted basements and floor levels of both buildings and the removal of the permitted car lifts onto Townsend Street, as permitted for the redeveloped College House site. The combined, two-level basement will be accessed from a single ramp onto Townsend Street. Cycle access to the basement will be via a dedicated access controlled cycle lift accessed from Townsend Street, an additional 71 cycle spaces are proposed in the basement, in addition to a relocation of some surface level cycle parking at ground level. Reconfiguration of the permitted core layouts, from basement -2 to upper levels, including roof, in both buildings and amendments to associated site servicing (foul and surface water drainage and water supply). Amendments to finished floor levels in both buildings to align throughout and allow interconnectivity. 2. Extension and increase in the extent and partial increase in heights of permitted Apollo House and College House developments where they adjoin onto the corner of Townsend Street and Tara Street. There is no increase in overall maximum height of the permitted buildings as a result of these proposed amendments. 3. Alterations to the proposed material finishes of both permitted buildings. 4. Alterations to the permitted ground floor layouts of College House and Apollo House to include: Increased office entrance foyer of College House and connected cafe/restaurant unit onto the internal block of 138 square metres. Amalgamation and increase of permitted retail/cafe/restaurant units in Apollo House and College House to single unit 1,112 square metres (with potential to subdivide into up to three individual units). Revisions to elevations at ground floor level as a result of reduction in external plant and basement access. Consolidation and relocation of permitted two number substations into one number substation onto Tara Street and one number substation onto Townsend Street. Increased office entrance foyer of Apollo House with ancillary café onto Tara Street and Poolbeg Street and minor increase in the size of permitted cafe/retail/restaurant unit on the new internal route to 161 square metres. Provision of photovoltaic panels at roof level of permitted

Apollo House and College House. Increase in permitted space at -1 level of Apollo House from 340 square metres to 505 square metres and removal of internal fire escape stair core. Overall increase in cafe/retail/restaurant floorspace of 153 square metres and office floorspace 4,593 square metres resulting from these proposed alterations, all at Apollo House, Tara Street; 9 - 11 Townsend Street (including the Long Stone Pub); College House, Numbers 2 - 3 Townsend Street and the Screen Cinema, 16 - 19 Hawkins Street, 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 city centre location of the development, to the pattern of development in the area, to the provisions of the Dublin City Development Plan 2016 - 2022 and to the nature, scale, layout and design of the proposed development, it is considered that the proposed development would provide for a strong and architecturally appropriate building on this site and, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area or of adjoining property and would be acceptable in terms of traffic safety and convenience. 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. The applicant shall comply with the conditions attached to the parent permissions pertaining to the development permitted under planning register reference number 3036/16, An Bord Pleanála reference number PL 29S.247907 and planning register reference number 3637/17, An Bord Pleanála reference number Ref. ABP-300709-18, unless altered by this permission.

Reason: In the interest of orderly development.

3. The proposed development shall be amended to provide for an additional 71 number cycle parking spaces at basement level.

Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

4. At least 10% of all of the commercial parking areas serving the development shall be provided with electric vehicle charging points. Details of how it is proposed to comply with these requirements, including details of design of, and signage for, the electrical charging points, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable transportation.

5. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

6. 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.

7. The developer shall pay to the planning authority a financial contribution in respect of LUAS C1 Line Scheme in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

8. Prior to the commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of security shall be as agreed between the planning authority and the developer or in default of agreement, shall be referred to An Bord Pleanála for a determination.

Reason: To ensure the satisfactory completion of the development.

Terry Ó Niadh
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2019.