



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: 3615/19

Appeal by Davy Property Holdings (on behalf of Sean McKeon Approved Retirement Fund) care of Downey Planning of 1 Westland Square, Pearse Street, Dublin against the decision made on the 20th day of September, 2019 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: Revisions to a previously approved development (permitted under planning register reference number 4303/16; ABP reference number PL29S.248921 and previously amended under planning register reference number 2328/19) to consist of the change of use at fifth floor level from 'media associated use' (previously permitted under planning register reference number 4303/16; ABP reference number PL29S.248921) to 'office' use at 6 and 13 Pembroke Row, Baggot Street Lower, 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 planning history on the site and to the provisions of the Dublin City Development Plan 2016-2022, it is considered that, subject to compliance with the conditions set out below, the proposed change of use of the fifth floor from 'media associated uses' to office use would not materially contravene the objectives of the Development Plan and 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. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted on the 6th day of April 2018 under ABP reference number PL29S.248921, planning register reference number 4303/16 and amending permission granted on the 20th day of May 2019 under planning register reference number 2328/19 and any agreements entered into thereunder.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permissions.

John Connolly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this day of 2020