



An
Bord
Pleanála

Board Order
ABP-306157-19

Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: 4068/19.

Appeal by Retirement Asset Holdings DAC care of RPS Group of West Pier Business Campus, Dún Laoghaire, County Dublin against the decision made on the 19th day of November, 2019 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: Change of use to the currently vacant upper floors (1st to 3rd floor) from 'office' to 'commercial short-term residential letting' to provide six number studio units for short term letting, associated lobby areas, lift facility, replacement of windows, additional glazed rooflights, alterations to the internal layout, signage and all associated works at (corner building), 41 Abbey Street Upper and 18 Liffey 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 nature and scale of the proposed development and to the pattern of development in the vicinity, the existing office use on the site, the Z5 zoning objective for the site and 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 development would not adversely impact the character or sustainable mix of uses in the area, would not result in the long-term loss of residential housing stock in the city centre and would increase the provision of tourist accommodation in the city, 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 the 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 proposed short-term studio units shall be let as single units and shall not be subdivided or amalgamated without a separate grant of planning permission.

Reason: In the interest of clarity.

3. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the amenities of property in the vicinity and the visual amenities of the area.

4. 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 and shall include consultation with Transport Infrastructure Ireland (TII). This Plan shall provide details of intended construction practice for the development, including measures to safeguard against impacts on the operation of the Luas, noise management measures, traffic management measures, site access arrangements and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and local amenities.

5. Site development and building works shall be carried out between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

Paul Hyde
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2020.