



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: 4100/19

Appeal by James and Josephine O'Donoghue and others of 7 Rosemount Road, Phibsborough, Dublin against the decision made on the 21st day of November, 2019 by Dublin City Council to grant subject to conditions a permission to Irish Student Fund (Dublin) 11 – Circular Student Ireland Limited care of John Spain Associates of 39 Fitzwilliam Place, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: The temporary use of Blocks A, B, G, H and J for tourist or visitor accommodation in the period to 31st day of May, 2020, commencing from the date of a final grant of permission. After such times, the original condition number 3 of planning register reference number 4262/16 (An Bord Pleanála appeal reference number PL 29N.248726) will apply. Blocks C, D, E and K will remain in use as student accommodation. There are no physical changes proposed to the permitted development. All on a site of circa 1.3635 hectares located at 274 North Circular Road, Dublin. The site also has frontage to the existing public laneway located off Rathdown Road (between 25A and 51 Rathdown Road).

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 Z1 and Z2 land use zoning objectives which apply to the site, the definition of student accommodation provided under Section 13(d) of The Planning and Development (Housing) and Residential Tenancies Act 2016 which includes the use of such accommodation as tourist/visitor accommodation outside of academic term times and the temporary nature of the permission, it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an appropriate development at this location which would not seriously impact on the residential amenities of neighbouring properties. 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 temporary use of Blocks A, B, G, H and J for tourist or visitor accommodation hereby permitted shall cease to have effect on the 31st day of May, 2020. Following the expiration, the original condition number 3 of planning register reference number 4262/16 (An Bord Pleanála appeal reference number PL 29N.248726) shall apply. Blocks C, D, E and K shall remain in use as student accommodation.

Reason: In the interest of orderly development.

3. The developer shall comply with the conditions attached to the parent permission pertaining to the development permitted under planning register reference number 4262/16 (An Bord Pleanála appeal reference number PL 29N.248726) and planning register reference number 3949/19 unless altered by this permission.

Reason: In the interest of orderly development.

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

Dated this day of 2020.