



An
Bord
Pleanála

Board Order
ABP-308529-20

Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 3206/20

Appeal by Alan Fitzgerald of 8 Rosemount Road, Phibsboro, Dublin and by Others against the decision made on the 9th day of October, 2020 by Dublin City Council to grant subject to conditions a permission to the Irish Student Fund (Dublin) 11 – Circular Student Ireland Limited care of John Spain Associates of 39 Fitzwilliam Square, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Permission for the temporary use of the development for tourist or visitor accommodation (alongside permitted student accommodation) in the period between 1st September 2020 to 31st May 2021. 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. There are no physical changes proposed to the permitted development, all on a circa 1.3635 hectares site 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 as set out in the current development plan for the area, to 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 to 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 adversely 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 on site for tourist or visitor accommodation hereby permitted shall cease to have effect on the 31st day of May 2021. Following the expiration, condition number 3 of An Bord Pleanála appeal reference number PL 29N.248726 (planning register reference number 4262/16) shall apply.

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 An Bord Pleanála appeal reference number PL 29N.248726 (planning register reference number 4262/16) unless altered by this permission.

Reason: In the interest of orderly development.



Stephen Bohan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this  day of  2021.