

An
Bord
Pleanála

Board Order
ABP-309011-20

Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 3486/20

Appeal by Conor Power and Loraine Mulligan care of ERMS Planning and Development Consultants of 34 The Crescent, Castleoaks, Carlow, County Carlow against the decision made on the 23rd day of November, 2020 by Dublin City Council to grant subject to conditions a permission to Grand Parade Property Trading Company DAC care of John Spain and Associates of 39 Fitzwilliam Place, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: The proposed development consists of amendments to the development permitted under planning register reference number 2373/17 and An Bord Pleanála appeal reference number ABP-300873-18, as previously amended under planning register reference number 4755/19. The proposed amendments are as follows: amendment and extension of the office accommodation at fourth and fifth floor levels, resulting in additional office floor space at both levels (an increase of 114 square metres at fourth floor level, and 184 square metres at fifth floor level); the extension of the southern stair core of the permitted office development to serve the fourth and fifth floor levels; associated amendments to the extent

and layout of the permitted roof terraces at fourth and fifth floor levels, including reorientation of permitted rooftop plant; provision of an additional access/egress route at ground level to the south of the permitted office development; the proposed amendments include an extension of the development boundary of permission under planning register reference number 2373/17 and An Bord Pleanála appeal reference number ABP-300873-18, as previously amended under planning register reference number 4755/19, to accommodate the additional access/egress route at ground level. The proposed amendments result in an increase of 298 square metres to the gross floor area of the development, resulting in a total gross floor area of 14,926 square metres including basement, all at 2 Grand Parade, Dublin and Dartmouth Road, Dublin. The site contains the former Carroll's Building which is a Protected Structure (RPS Ref: 3280).

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 permitted developments on site, the sites proximity and siting to the Carroll's Building a Protected Structures (RPS Reference Number: 3280) and the Dartmouth Square Architectural Conservation Area both as identified in the current Dublin City Development Plan, 2016-2022 it is considered that the proposed development, subject to compliance with the conditions as set out below, would not negatively impact upon the built heritage of the area and would not seriously injure the visual or residential amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening

The Board noted that the proposed development is not directly connected with or necessary to the management of a European Site. In completing the screening for Appropriate Assessment, the Board accepted and adopted the screening assessment and conclusion carried out in the Inspector's report in respect of the identification of the European Sites which could potentially be affected, and the identification and assessment of the potential likely significant effects of the proposed development, either individually or in combination with other plans or projects, on these European Sites in view of the site's conservation objectives and that a Stage 2 Appropriate Assessment is not, therefore, required.



Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 26th day of January, 2021, 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 permissions granted on the 11th day of April, 2019 under appeal reference number ABP-300873 (planning register reference number 2373/17), as subsequently amended under planning register reference number 4755/19, 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.

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.

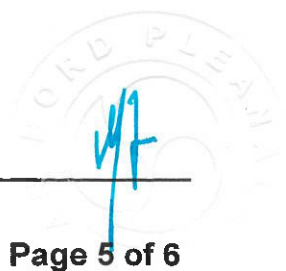
Reason: To protect the residential amenity of property in the vicinity and the visual amenity of the area.

4. Drainage arrangements shall comply with the requirements of the planning authority for such works and services, details of which shall be agreed in writing prior to commencement of development

Reason: In the interest of public health.

5. 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.

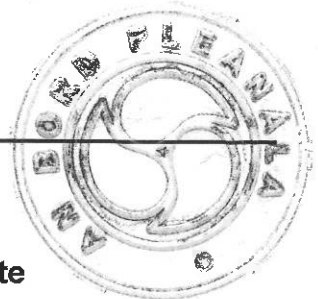


6. The developer shall pay to the planning authority a financial contribution in respect of the Luas Cross City Scheme (Saint Stephen's Green to Broombridge Line) in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 of the Planning 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.



Michelle Fagan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.



Dated this *8th* day of *June* 2021