

An
Bord
Pleanála

Board Order
ABP-309198-21

Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 3649/20

Appeal by Gambetta Limited care of CDP Architecture of 4 The Mall, Main Street, Lucan, County Dublin against the decision made on the 17th day of December, 2020 by Dublin City Council to refuse permission for development comprising the following: modifications to the previous permissions granted under planning register reference number 3150/17, An Bord Pleanála reference number PL 29S.249126 and planning register reference number 4606/19, An Bord Pleanála reference number ABP-306760-20. Planning permission is sought for the addition of number 18 Montague Street as part of the previously approved scheme with change of use from cafe to cafe bar and restaurant with associated upgrading works to the front facade and extension to the rear courtyard to include the incorporation of an internal fire escape stairs. Planning permission is also sought for the upgrading of the existing service entrance from Montague Street between numbers 16 and 17 Montague Street, together with the provision of a new access laneway between numbers 17 and 18 Montague Street. Planning permission is also sought for minor changes to the previously approved application to include minor interior changes and changes to the proposed elevations of number 19 Montague Street and number 16 Harcourt Street rear mews building; all at number 16, Harcourt Street, (a protected structure, Dublin City Council RPS number 3525), mews to the rear of number 16 Harcourt Street facing onto Montague Lane

and numbers 18 and 19 Montague Street buildings and undercroft laneway associated with number 16 Montague Street, Dublin in accordance with the plans and particulars lodged with the said Council.

Decision

GRANT permission for the upgrading of the existing service entrance from Montague Street between numbers 16 and 17 Montague Street, in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. REFUSE permission for modifications to the previous permissions granted under planning register reference number 3150/17, An Bord Pleanála reference number PL 29S.249126 and planning register reference number 4606/19, An Bord Pleanála reference number ABP-306760-20; the addition of number 18 Montague Street as part of the previously approved scheme with change of use from café to café bar and restaurant with associated upgrading works to the front facade and extension to the rear courtyard to include the incorporation of an internal fire escape stairs together with the provision of a new access laneway between numbers 17 and 18 Montague Street; and minor changes to the previously approved application to include minor interior changes and changes to the proposed elevations of number 19 Montague Street and number 16 Harcourt Street rear mews building based on the reasons and considerations marked (2) under

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 (1)

Having regard to the location of the site close to the city centre, to the nature of the permitted development on the site and that of existing development in the area, 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 development would not seriously injure the residential amenities, environmental qualities or established character and functions of the area 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 permissions granted on the 21st day of May, 2018 under appeal reference number PL 29S.249126, planning register reference number 3150/17, and on the 19th day of June, 2020 under appeal reference number ABP-306760-20, planning register reference number 4606/19, and any agreements entered into thereunder.

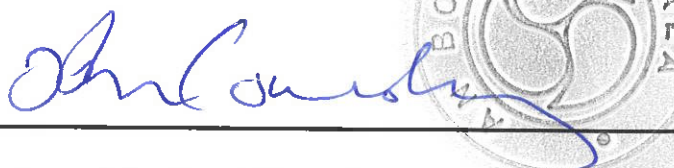
Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permissions.

3. Details, including the materials, colours and textures of all the external finishes to the proposed upgrading of the existing service entrance from Montague Street between numbers 16 and 17 Montague Street, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

Reasons and Considerations (2)

It is considered that the amalgamation of number 18 Montague Street into the overall development would contribute to the erosion of the legibility of the building characteristics and urban grain and would be insensitive to and would seriously injure the integrity, setting, character and context of the original structure, streetscape and area. The proposed development would, therefore, seriously injure the amenities of the area and would be contrary to the proper planning and sustainable development of the area.



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

Dated this 19th day of AUGUST 2021.