

An
Bord
Pleanála

Board Order

ABP-309199-21

Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 3573/20

Appeal by Gambetta Limited care of CDP Architecture of 4 The Mall, Main Street, Lucan Village, County Dublin against the decision made on the 10th day of December, 2020 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: Modification to the previously approved permissions An Bord Pleanála appeal reference number PL29S.249126 (planning authority planning register reference number 3150/17) and An Bord Pleanála appeal reference number ABP-306760-20 (planning authority planning register reference number 4606/19). This application seeks to increase the size of the previously granted basement under Number 16 Harcourt Street Mews building and extend the basement to include and connect to a new basement under Number 19 Montague Street for the purposes of extended ancillary services and uses associated with the granted café bar and restaurant, all with associated site works and removal works at Number 16 Harcourt Street, Dublin (a Protected Structure, Dublin City RPS Number 3525), Mews to rear of Number 16 Harcourt Street facing onto Montague Lane and Number 19 Montague Street, Dublin.



Decision

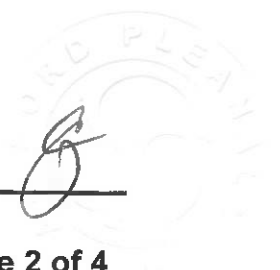
GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

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 zoning objectives of the site, namely Z4 and Z8, the planning history of the site, the location of the site close to the city centre, the pattern of development and uses in the area, and to the objectives of the Dublin City Development Plan 2016 – 2022, the Board considered that the proposed development for the purposes of extended ancillary services and uses associated with the previously permitted restaurant/café bar was an acceptable use which would not seriously injure the amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.



In deciding not to accept the Inspector's recommendation to refuse permission, the Board had regard to the planning history of the site and, in particular, its previous decision in respect of the parent permission granted on 21st day of May, 2018 under appeal reference number PL 29S.249126, planning register reference number 3150/17. Furthermore, the Board considered that the proposed works would contribute to the stability of the existing buildings on site.

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 15th 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 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.



John Connolly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 19th day of August 2021

