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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3808/20**

**Appeal** by Paul Linders of Orchard Lane, Herbert Park, Ballsbridge, Dublin and by Patrick Cronin care of BMA Planning of Taney Hall, Eglinton Terrace, Dundrum, Dublin against the decision made on the 14<sup>th</sup> day of May, 2021 by Dublin City Council to grant subject to conditions a permission to Ardoyne House Management Limited care of MDP and Partners of 2/3 Colbeck Street, The Viking Triangle, Waterford in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** This development will consist of construction of new hard standing area of approximately 430 square metres to provide 19 number car parking spaces to the south-east of Ardoyne House Building in order to accommodate parking spaces displaced due to fire safety requirements, all at Ardoyne House, Pembroke Park, 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 site's residential land use zoning and proximity to public transport, to the nature and scale of the proposed development, and to the car parking provisions, as set out in the Dublin City Development Plan 2016 - 2022 and the "Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities" issued by the Department of Housing, Local Government and Heritage in December 2020, the Board considered that, subject to compliance with the conditions set out below, the proposed development would improve the site's accessibility for emergency vehicles and would not adversely injure the residential amenity of the area. 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, as amended by the further plans and particulars submitted on 19<sup>th</sup> day of April, 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. 56 number car parking spaces in total shall be permanently allocated to the residential use and shall not be sold, rented or otherwise sub-let or leased to other parties. Eight number of these car parking spaces shall be allocated to the mews units as per Drawing Number PL-04, Rev. 01 dated April 2021.

**Reason:** In the interests of clarity and the proper planning and sustainable development of the area.

3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

4. Site development and building works shall be carried out only between the hours of 0700 and 1800 from Mondays to Fridays inclusive, between the hours of 0800 and 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.



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Paul Hyde

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board.

Dated this 3<sup>rd</sup> day of March 2022.