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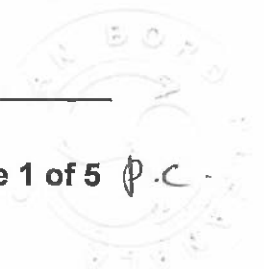
**Planning and Development Acts 2000 to 2021**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3883/20**

**Appeal** by John Lonergan of 28d Echlin Buildings, Echlin Street, Dublin and by Harkins Tavern Limited care of O'Neill Town Planning, Oakdene, Howth Road, County Dublin against the decision made on the 12<sup>th</sup> day of July, 2021 by Dublin City Council to grant subject to conditions a permission to Tony Goldrick care of William Donoghue and Associates, Woodlands, Rathangan, County Kildare in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Permission for alterations to the previously approved planning permission, Dublin City Council Ref: 2022/19 and An Bord Pleanála Reference: ABP-303959-19 which will consist of the following changes: 1. Change of use of previously approved ground floor retail unit into two number one-bedroom studio apartments including changes to the elevations and footprint of the building. 2. To change approved first floor two-bedroom apartment into two number one-bedroom studio apartments. 3. To change the approved second floor two-bedroom apartment into two number one-bedroom studio apartments. 4. For the provision of an increased area of public open space amenities for the development. 5. And for all associated site development works. All at 5 Echlin 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.**

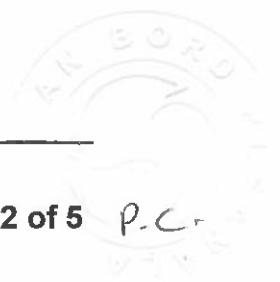
## Reasons and Considerations

Having regard to the "Z1" zoning objective pertaining to the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area or of property in the vicinity, would be acceptable in terms of visual amenity and of traffic safety and convenience. 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 the 1<sup>st</sup> day of April, 2021, the 28<sup>th</sup> day of May, 2021, and the 17<sup>th</sup> day of June, 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 permission granted on the 12<sup>th</sup> day of June, 2019 under An Bord Pleanála appeal reference number ABP-303959-19 (planning register reference number 2022/19), and any agreements entered into thereunder.

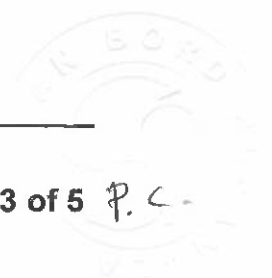
**Reason:** In the interest of clarity and to ensure that the overall development is carried out in accordance with the parent permission.

3. Details of the materials, colours and textures of all external finishes shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

4. A waste management plan, including provision for the storage, separation and collection of all waste, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of public health and the amenities of the area.



5. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

**Reason:** To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

6. The developer shall pay to the planning authority a financial contribution in lieu of the provision of public open space 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.

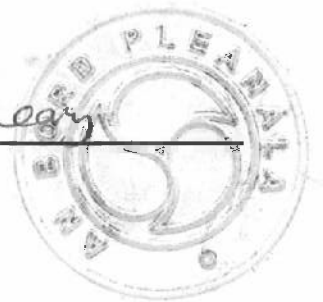
**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

*Patricia Calleary*

**Patricia Calleary**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**



Dated this *19* day of *September* 2022.