

Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: 2427/21

Appeal by the Irish School of Motoring Limited care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 9th day of August, 2021 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: (i) Removal of existing vehicular entrance gate off Fitzgibbon Street and demolition of two-storey commercial structure comprising former workshop/service garage and an adjoining derelict two-storey dwelling which is bound to the south-east by an existing two-storey derelict structure situated within the grounds of number 46 Charles Street Great (a Protected Structure - RPS number 1371), and (ii) construction of a five-storey flat/green-roofed apartment block served by one number rooflight and comprising 19 number units (one number studio, 14 number one bedroom units and four number two bedroom units) with each unit provided private amenity space, in the form of balcony and having access to communal amenity space (158 square metres) at ground level. The development is to be served by four number vehicular parking spaces, 32 number bicycle parking spaces and covered bin storage located within shared access yard accessible via a new vehicular entrance gate, of width 3.85 metres, off Fitzgibbon Street.

The proposal also includes all ancillary works, inclusive of landscaping and SuDS drainage, necessary to facilitate the development, all on site to the rear of numbers 20-22 Fitzgibbon Street, numbers 6-10 Emmet Street, and number 46 Charles Street Great (a Protected Structure), Dublin.

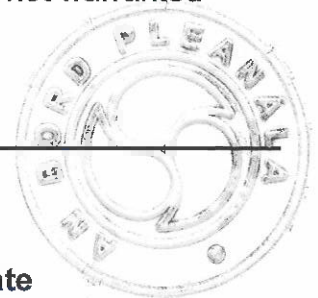
Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 5(a) and the reason therefor.

Reasons and Considerations

Having regard to the height, scale and design of the proposed development, the central and accessible location of the site, and the pattern and character of surrounding development, it is considered that the proposed development would provide an acceptable quantum of development at this location, would not detract from the character or built heritage value of the area, and would not detract from the amenity value of surrounding properties. Accordingly, it is considered that subsection (a) of condition number 5 of the planning authority's decision, requiring the omission of one full storey, is not warranted in this case.


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



Dated this 29th day of April 2022.