



An
Bord
Pleanála

Board Order
ABP-313610-22

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3398/22

Appeal by Tony and Louise O'Brien and others care of 12 Herbert Cottages, Ballsbridge, Dublin and by Elisabeth Carr-Fanning and others care of 27 The Sweepstakes, Ballsbridge Park, Dublin against the decision made on the by Dublin City Council to grant subject to conditions a permission to Gas Networks Ireland care of Fingleton White and Company Limited of Unit H7B Centrepoint Business Park, Oak Drive, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Installation of a 1.42 metre by 0.51 metre by 1.8 metre (LxWxH) above ground enclosure, to house a new natural gas District Regulating Installation including a three metre high 'lamp post' style relief vent stack with all ancillary services and associated site works to replace the existing below ground natural gas regulating unit at The Sweepstakes, Ballsbridge Park, Ballsbridge, 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 land use zoning objective for the area where service installations of the type proposed are permissible, as indicated in the Dublin City Development Plan 2022-2028, and also having regard to the nature, scale, design and location of the proposed development, the Board was satisfied that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area and would not adversely affect the character or setting of the neighbouring architectural heritage. 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 considered that the development represented an appropriate form of utility infrastructure, common in urban/suburban areas and its relatively modest scale and discreet location would mitigate visual impacts to an acceptable level. The Board noted that the Inspector's recommended reason for refusal related to this one issue (visual amenity) and the Board agreed with the Inspector's assessment and recommendation in all other aspects.

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 the commencement of development.

Reason: In the interest of clarity.

2. Site development and building works shall be carried only out between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 hours to 1400 hours 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.

3. The developer shall prevent any mud, dirt, debris or building material being carried onto or placed on the public road or adjoining properties as a result of the site works and repair any damage to the public road arising from carrying out the works.

Reason: In the interest of orderly development.



Tom Rabbette

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this 23rd day of Sept. 2023