



An
Bord
Pleanála

Board Order
ABP-315454-23

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1923/22

Appeal by John Caffrey of 1 Greenlea Grove, Terenure, Dublin against the decision made on the 30th day of November, 2022 by Dublin City Council to grant subject to conditions a permission to James Nolan care of Gilna Architecture of Fumbally Exchange, Argos House, Malpas Street, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Permission for a material change of use of existing studio workshop (previously approved under Dublin City Council planning register reference number 2972/17) to residential use. The accommodation will consist of one single bedroom, with bathroom and storage, home office, open-plan kitchen / living area, WC . Existing private open space to be increased in size to side of building at ground floor. The proposed change of use includes the provision of one off-street car-parking space within the site (previously approved under Dublin City Council planning register reference number 2972/17), bicycle parking and bin storage at Greenlea Grove, (adjacent to ESB substation) Terenure, 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 grounds of appeal, the observations of third parties, the report of the Planning Inspector, the residential zoning objective and the policy framework provided by the Dublin City Development Plan 2022-2028 for residential development, including the compact growth requirement to provide more homes within the existing built foot print of the city and its suburbs, the Sustainable Residential Development and Compact Settlements Guidelines for planning authorities 2024, as well as the extent of public open space in the immediate vicinity, it is considered that the proposed development, subject to compliance with the conditions set out below, would provide a reasonable level of residential amenity, would not detract from the amenity of adjoining properties in the vicinity. 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 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. The developer shall enter into water and/or wastewater connection agreements with Irish Water.

Reason: In the interest of public health.

3. Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.

Reason: In the interest of public health.

4. The developer shall adhere to the recommendations of the planning authority's Transport Planning Division Report dated 15th November 2022 and agree in writing with the planning authority, before commencement of development, all details in relation to works to the public road and associated services including all costs relating thereto.

Reason: In the interest of orderly development.

5. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities 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 the 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 the Board 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.



Joe Boland

Member of An Bord Pleanála

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

Dated this *23rd* day of *January* 2024.