

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 5513/22

Appeal by Moore Street Preservation Trust of Ireland Institute, The Pearse Centre, 27 Pearse Street, Dublin against the decision made on the 23rd day of February, 2023 by Dublin City Council to grant subject to conditions a permission to Dublin Central GP Limited care of Stephen Little and Associates of 26/27 Upper Pembroke Street, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention for a temporary period of four years and 11 months for the continued use of a commercial, off-street car park located over two levels (circa 2,644 square metres gross floor area) and associated signage at the rear of numbers 46-49 O'Connell Street Upper, Dublin. The car park comprises of 100 number spaces and is accessed/egressed off Moore Lane on a site of circa 0.14 hectares.

Decision

GRANT permission for the above 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 nature and previously permitted use of the existing structure, which was purposely built as a car park, the pattern of development in the vicinity, and the temporary nature of the development proposed to be retained, it is considered that, subject to compliance with the conditions set out below, the retention of the development for a temporary period would not adversely impact on the architectural or archaeological heritage of the area, would not pose an unacceptable risk to traffic or pedestrian safety, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained 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 and the development shall be retained in accordance with the agreed particulars.

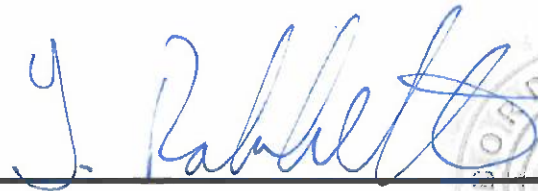
Reason: In the interest of clarity.

2. The use of the car park as such shall cease within four years of the date of this Order, unless prior to the end of that period planning permission shall have been granted for its retention for a further period.

Reason: It is considered reasonable to grant permission for a limited period to enable the impact of the development to be re-assessed, having regard to circumstances then prevailing, including in relation to transportation policy and the redevelopment of the overall area.

3. The management of the car parking and the pricing regime for users of the car park shall be structured to discourage long-stay commuter parking and to encourage short-term use associated with the retail businesses in the area. The management and pricing structure shall be as agreed with the planning authority and, within two weeks of the date of this Order, details of the management and a scheme of pricing shall be submitted to the planning authority for written agreement. In default of agreement, the matter shall be referred to An Bord Pleanála for determination and the management and pricing structure shall be as so determined.

Reason: To discourage use of the car park by commuters.

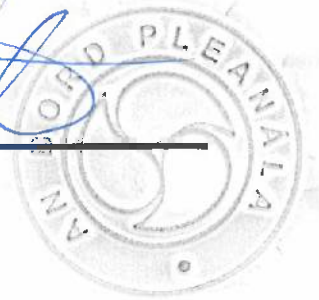


Tom Rabbette

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this *26th* day of *July* 2023.