



An
Bord
Pleanála

Board Order
ABP-320278-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3224/24

Appeal by Daniel Carroll and Gemma Foley care of Buchan Kane and Foley of 32 Fitzwilliam Place, Dublin against the decision made on the 4th day of July, 2024 by Dublin City Council to grant subject to conditions a permission to Hilltop D12 Project Limited care of CDP Architecture of 4 The Mall, Lower Main Street, Lucan, County Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Modifications to previously approved permission planning register reference number 4456/19 and An Bord Pleanála reference number ABP-308078-20. Modifications are to include the addition of two number apartment units achieved by way of an additional setback floor to the previously granted scheme bringing the total number of floors of the building from three storeys to four storeys, increasing the total number of apartment units from 12 number apartment units to 14 number apartment units consisting of two number two-bed apartments, all with associated bike store, bin store, landscaping and site works, all on lands to the side of Saint Agnes Convent, (Captains Place), Armagh Road, Crumlin, 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 location of the application site in an area zoned Z15 'Community and Social Infrastructure', in the Dublin City Development Plan, 2022-2028, where assisted living/retirement home are identified as uses which are 'permitted in principle' and having regard to the permitted independent living units on the subject site (as permitted under planning register reference 4456/19, An Bord Pleanála Reference number ABP-308078-20) and the established integrated health care and residential care facility uses of the adjacent lands and the design, scale and height of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not detract from the visual or residential amenities of the area and would otherwise accord with the provisions of the current development plan. 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 received by the planning authority on the 1st day of May 2024 and 7th day of June 2024, 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 comply with the conditions of the parent permission register reference number 4456/19 (Appeal Reference number ABP-308078-20) unless the conditions set out hereunder specify otherwise. This permission shall expire on the same date as the parent permission.

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

3. The independent living units within the block shall not be sublet or used for short-term letting or sold individually without a prior grant of planning permission.

Reason: In the interest of clarity, consistency the development objectives for the site location and the interests of the proper planning and sustainable development of the area.

4. 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 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.



Tom Rabbette

Member of An Bord Pleanála

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

Dated this 12th day of May 2025.