



An
Bord
Pleanála

Board Order
ABP-320767-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3401/24

Appeal by Martin Casey and Tom Carroll of Arekibo Communications Limited, 16 Windsor Place, Dublin and by Brockpem Management Limited care of Manahan Planners of 38 Dawson Street, Dublin against the decision made on the 12th day of August, 2024 by Dublin City Council to grant subject to conditions a permission to Dublin Letting Management Limited care of Cantrell and Crowley Architects of Priory, Stillorgan Road, Blackrock, County Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: The development will consist of: (a) number 6 - change of use from office to residential use to include 2 studio apartments, including internal modifications and external terraces within the existing building envelope, along with associated façade changes; (b) number 7 - change of use from office to residential use to include a two-bedroom and study townhouse, including internal modifications and the modification of the existing dormer roof to accommodate a new residential level and external terrace along with associated façade changes; (c) number 8 - change of use from office to residential use to include three one-bedroom apartments including internal modifications and external balconies within the existing

building envelope, along with associated façade changes; and (d) all associated site works and services at Numbers 6, 7 and 8 Windsor Place, 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 and character of the site and surrounding area in an urban area, together with the provisions of the Dublin City Development Plan 2022-2028 including the Z1 zoning of the site, as well as the section 28 Guidelines: Design Standards for New Apartments and Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, it is considered that, subject to compliance with the conditions set out below, the scale and nature of the proposed development would be acceptable. The proposed development would not seriously injure the visual or residential amenity of the area and 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 17th day of July, 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. The residential units shall not be used for short-term letting without a prior grant of planning permission.

Reason: In the interest of clarity.

3. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and amenity.

4. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained and waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular, recyclable materials, in the interest of protecting the environment.

5. The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: In the interest of public health.

6. Proposals for an estate/street name, house/apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility.

7. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 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 amenities of property in the vicinity.

8. 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.

9. The developer shall pay to the planning authority a financial contribution in respect of the LUAS Cross City Scheme in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.



Declan Moore

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board**

Dated this 17th day of APRIL 2025