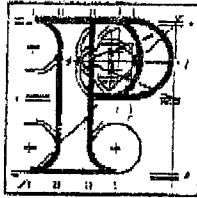


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS, 2000 TO 2002

Dublin City

Planning Register Reference Number: 4242/03

An Bord Pleanála Reference Number: PL 29N 205079

APPEAL by An Taisce of The Tailors' Hall, Back Lane, Dublin against the decision made on the 22nd day of October, 2003 by Dublin City Council to grant subject to conditions a permission to Costello Construction Limited care of Ó Muiré Smyth Architects of Columbia Mills, 14-15 Sir John Rogerson's Quay, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Construction of mixed-use development consisting of a new three to six-storey building over basement comprising 15 car spaces, service rooms, bin storage and bicycle storage at basement level; ground floor of 421 square metres retail/showroom/office space, E.S.B. substation, storage and ramp access from Aldborough Place to basement; there are 24 number apartments overhead from first to fifth floor comprising nine number one bedroom apartments and 15 number two bedroom apartments; balconies are provided to first, second, third, fourth and fifth floor apartments along North Strand Road and Portland Row; screened roof terraces are provided at fourth floor at Aldborough Place and fifth floor along the north-east boundary; the apartments are accessed via an entrance hall off North Strand Road boundary with stair access to first floor landscaped courtyard and lift access to all upper levels; access decks are provided at second, third, fourth and fifth floor; the gross floor area of the development is 2279 square metres; (this application follows a recent application for demolition and enabling works under planning register reference number 3618/03); all at 1 to 4 North Strand Road and 1 Aldborough 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 scale and design of the proposed development, its location at a strategic junction which acts as a gateway to the City, the visual and urban context of the development and the policies of the planning authority in respect of the junction and appeal site as set out in the current Dublin City Development Plan and the North East Inner City Action Plan, it is considered that, subject to compliance with the conditions set out below, the proposed development would not materially or adversely affect the character or setting of protected structures in the vicinity of the site, would not seriously injure the amenities of the area or of property in the vicinity and would be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. Details in relation to the illumination of the landmark corner shall be submitted to the planning authority for agreement prior to commencement of development.

Reason: In the interest of visual amenity.

2. Apartment number 18 on the third and fourth floors shall be omitted. Revised drawings showing compliance with this modification including consequent changes to the internal courtyard access walkway at these floor levels shall be submitted to the planning authority for agreement prior to commencement of development.

Reason: In the interest of residential and visual amenity.

3. Prior to the commencement of development, the applicant shall submit to and agree in writing with the planning authority the following elevation details: -

- (a) the provision of natural light and ventilation to all bathrooms and kitchens on external walls,
- (b) detailed design of the shop/showroom/office frontage to include the proportion, material, signage and lighting,
- (c) detailed design of the entrance to the apartments from North Strand and the entrance to the underground car park from Aldborough Place, and
- (d) the boundary treatment of the adjoining property on North Strand.

Reason: In the interest of visual and residential amenity

BA

4. Prior to the commencement of development, details and samples of external colours and of all material finishes, to include windows, window systems, stone cladding, metal cladding, brick and bonding, roof finishes and guttering, shall be submitted to the planning authority for agreement.

Reason: In the interest of visual amenity.

5. Prior to the commencement of development, a detailed specification for the repaving of the Amiens Street, Killarney Street and 'Five Lamps' frontage in natural stone shall be submitted to the planning authority for agreement. These works shall be completed at the developer's expense, prior to occupation of the first unit in the development.

Reason: In the interest of visual amenity and orderly development.

6. Notwithstanding the provisions of the Planning and Development Regulations, 2001, no external or internal lighting, security shutters, signs, advertisements, or canopies other than authorised by this permission shall be erected in or projecting from the façade of the premises without a prior grant of planning permission.

Reason: In the interest of visual amenity.

7. Notwithstanding the provisions of the Planning and Development Regulations, 2001, no structure, antennae or other external plant shall be located at roof level without the prior written agreement of the planning authority.

Reason: In the interest of visual amenity.

8. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

9. Prior to the commencement of development, proposals for the use of all ground floor units shall be submitted to the planning authority for agreement.

Reason: In the interest of orderly development.

10. The basement car parking spaces (fifteen number) shall be reserved for the sole use of the residents of the apartments within the development.


Reason: In the interest of orderly development.

11. Details in relation to the provision of facilities for bicycle parking shall be submitted to the planning authority for agreement prior to commencement of development.

Reason: In the interest of orderly development.

12. 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. The provisions of section 48 (10) (a) and (b) of the Act shall apply as respects an appeal to An Bord Pleanála in relation to the application of the Scheme.

Reason: It is considered reasonable that a contribution be made in accordance with a Development Contribution Scheme made for the area of the proposed development under section 48 of the Planning and Development Act, 2000.



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

Dated this 31st day of March 2004.