



An  
Bord  
Pleanála

**Board Direction**  
**BD-011231-22**  
**ABP-311547-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 02/09/2022.

The Board decided to make a split decision, to

- (1) grant permission for the removal of 3 no. bedrooms at ninth floor level to facilitate a lounge area, the provision of an external terrace at ninth floor level with an east facing aspect, and all associated elevational changes and site development works

for the reasons and considerations marked (1) under and subject to the conditions set out below, and

- (2) refuse permission for the addition of an eleventh and twelfth floor, the relocation of the domestic hot water pump and external condensers from the previously permitted roof level to roof level of the proposed part 9 no. to part 13 no. storey building, and all associated elevational changes and site development works

for the reasons and considerations marked (2) under.

### **Reasons and Considerations (1)**

Having regard to the Z5 zoning provision of the Dublin City Development Plan 2016-2022, the location of the site and its planning history, the pattern of development and recent permissions in the area, and the nature and scale of the proposed lounge and terrace area, it is considered that subject to the compliance with the conditions as set out below, the proposed development would not seriously injure the amenities of the

area or of property in the vicinity. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

### **Reasons and Considerations (2)**

Having regard to the nature of proposed development which is a hostel, the location of the site on Abbey Street Upper away from a significant street junction or any other such urban landmark, and the strong visual impact of the proposed development onto Middle Abbey Street having regard to its form, design and materiality, it is considered that the location of a distinctive landmark feature on this particular site would be an inappropriate gesture which would have an overbearing effect when viewed from Middle Abbey Street. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission for the addition of an eleventh and twelfth floor, the Board considered that the location of a distinctive landmark feature on this particular site would be an inappropriate gesture which would have an overbearing effect when viewed from Middle Abbey Street. The proposed development would, therefore, be contrary to 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 development shall be carried out and completed in accordance with the conditions attached to the permission granted under An Bord Pleanála appeal reference number PL 29N.249037 (planning register reference number 2971/17), planning register reference numbers 2954/18 and 2928/19, and An Bord Pleanála appeal reference number ABP305853-19 (planning register reference number 3804/19) except as may otherwise be required in order to comply with the following conditions.

**Reason:** In the interest of clarity and the proper planning and sustainable development of the area.

3. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

**Board Member:**



**Date:** 05/09/2022

John Connolly