



An
Bord
Pleanála

Board Direction
BD-012260-23
ABP-312150-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/05/2023.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

The application site forms a major strategic future urban transport node that will comprise a new multi-modal interchange station connecting the MetroLink, DART+ West project, the two existing heavy railway lines, that is, the Western Commuter Line and the South-Western Commuter Line, BusConnects, and connections by car, walking and cycling. Due to the location of the proposed development on lands scheduled for acquisition and demolition as part of the MetroLink project, the Board considered that it would be premature to further develop this land in the interest of protecting and facilitating the development of the MetroLink project, which will deliver transformative public transportation infrastructure for the Greater Dublin Area. The proposed development fails to take into account proposals for MetroLink rail infrastructure and the proposed Glasnevin MetroLink station, a strategic and crucial future transportation interchange hub. The proposed development would, therefore, be contrary to Policies SMT22 (Key Sustainable Transport Projects) and Objective SMT017 (Additional Interchanges and Rail Stations) of the Dublin City Development Plan 2022-2028 and would be contrary to the proper planning and sustainable development of the area.

Notes:

1. In respect of the Inspector's recommended **Refusal Reason No.1**, the Board noted the site is located in an area zoned 'Z3-Neighbourhood Centres' with a stated objective 'to provide for and improve neighbourhood facilities' in the current Dublin City Development (2022-2028) and also noted that while there was a maximum floor area set out in the previous statutory plan for a Z3 zoning, no such maximum floor area is included in the current plan that has been adopted since the date of the inspector's report. The Board otherwise noted that 'office' is a permissible use in the current development plan. Accordingly, the Board did not consider it reasonable to include the inspector's recommended Refusal Reason No.1 in its decision and this reason was therefore omitted.

2. In respect of the Inspector's recommended **Refusal Reason No.2**, the Board noted and examined the amended design submitted by the applicant/appellant at appeal stage and taking into account this amended design that demonstrated a parapet level of 4.05m above the ridge level of the two-storey terraced houses Nos. 1-3 Prospect Road (as evidenced on Drawing Number APL-2003 dated 06.12.21), the Board was satisfied that the proposed development would be appropriate in terms of scale and height and would be visually acceptable in the context of the surrounding urban environment. The Board did not therefore share the view of the inspector that the proposed development would be visually obtrusive or dominant relative to these houses or cause serious harm to the distinctive character and setting of the Royal Canal Conservation Area. Accordingly, the Board did not agree with the inspector that the development would be contrary to stated policy that seeks to protect the special interest and character of all Dublin Conservation Areas, as expressed through Policy CHC4 of the Dublin City Development Plan 2016-2022, that was applicable at the time of the inspector's assessment or similar policy BHA7 expressed in the current Dublin City Development Plan. Accordingly, the Board did not consider it reasonable to include the inspector's recommended Refusal Reason No.1 in its decision and this reason was therefore omitted.

Board Member

Patricia Calleary
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Date: 24/05/2023

