

An
Coimisiún
Pleanála

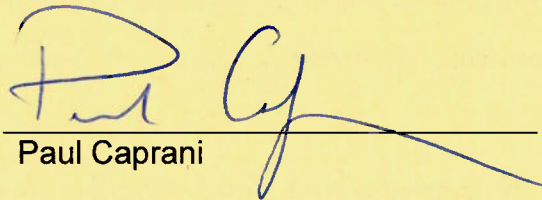
Direction
CD-022253-26
ACP-324123-26

The submissions on this file and the Inspector's report were considered at a meeting held on 10/06/2026.

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

Planning

Commissioner:


Paul Caprani

Date: 11/06/2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. Having regard to the disposition of the buildings on the site and the consequences of same, specifically; the separation distance of less than 16m between opposing windows which is deemed to be contrary to SPPR1 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (DOHLG 2024), the proximity of Block 4 to active commercial units with associated access and parking arrangements and the uncertainty (notwithstanding the zoning) regarding any future development of this commercial area, and the use of the proposed communal open space to the rear of Block 5 which would detract from the amenity and privacy of the ground floor apartments in Block 5, it is considered that the proposed

development would impact negatively on the residential amenity of future residents. Furthermore, the finish of the rear elevation of Block 5 as it is viewed from St James Terrace requires further consideration due to the prominence and proximity of this elevation, and while the Commission welcomed the proposed connection to the adjoining Grand Canal bank, it determined that the proposed public open space element of the scheme is primarily circulation space and therefore provides limited use as an amenity space for the public, and furthermore the proposed position of services, including vehicular access and egress arrangements associated with the commercial development abutting adjoining property, would detract from the amenity of the residential scheme. Having regard to the extent of the matters as set out above that would detract from the residential amenity of future occupants of the proposed apartments and the residents of adjoining properties, the development as proposed does not accord with the Dublin City Development zoning objective for this area, *to protect, provide and improve residential amenities*, and therefore would not accord with the proper planning and sustainable development of the area.

Note: The Commission noted the Inspectors concerns regarding the impact of the proposed development in terms of density and height on the prevailing scale and low rise pattern of development in the area, however the Commission considered that the wider area was an area in transition, with the redevelopment of a number of sites in the vicinity with higher density residential development including development at the former Bailey Gibson Site and the redevelopment proposals at St Teresa's Gardens. The Commission considered that the site was of sufficient size and scale generally, to accommodate higher buildings and higher densities in accordance with national policies for the redevelopment brownfield sites in urban areas. In this regard the Commission considered that development of up to 7 stories can be accommodated on site subject to qualitative safeguards. Thus the Commission did not necessarily share the inspector's view that the proposed development would be contrary to Policies SC16 and SC17 and Appendix 3 of the City Development Plan with regard to building height. The Commission accepted the design rationale which placed the taller elements of the proposal in the centre of the site, adjacent to the canal with the building height tapering downwards towards the edge site so as to be

more reflective of the prevailing and established building height in the area. Such an approach would also respect the context and setting of Our Lady of Dolours Church (Protected Structure) and the Residential Conservation Zoning Objective along the South Circular Road.

While Commission accepted the rationale regarding the maximum height of blocks on site. The Commission was also generally satisfied with the architectural design approach, external finishes and the articulation of the building facades. However it was considered that the massing and arrangement of the individual buildings in such close proximity on the site would give rise to amenity issues including potential overlooking and overbearance between blocks and would also give rise to problems regarding layout and functionality of open space. It was considered that these fundamental design issues would not be satisfactorily addressed through the imposition of conditions 4 and 5 of Dublin City Council's decision.