

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Dublin City

Planning Register Reference Number: 3605/16

An Bord Pleanála Reference Number: PL 29S.247583

APPEAL by The Adroit Company care of Stephen Little and Associates of 26/27 Upper Pembroke Street, Dublin against the decision made on the 20th day of October, 2016 by Dublin City Council to refuse permission.

PROPOSED DEVELOPMENT: An eight year permission for development on site, measuring circa 0.998 hectares. The site is occupied by numbers 1 to 50 Harold's Bridge Court and numbers 1 to 3 Clare Villas existing housing and by an existing warehouse building. The proposed development (circa 12,874 square metres total gross floor area above ground, excluding plant, bin stores, bike stores and basement car park) generally comprises the demolition of four number three-storey duplex residential buildings (48 number habitable dwellings, circa 3,929.4 square metres gross floor area) and two number one-storey residential buildings (circa 50.6 square metres and circa 51.7 square metres) within Harold's Bridge Court, three number two-storey habitable dwellings at Clare Villas (circa 391.6 square metres gross floor area) and an existing warehouse (circa 1,233.1 square metres gross floor area) and ancillary structures fronting Greenmount Lane. The construction of six number residential apartments buildings and one number mixed use building, accommodating 121 number apartment units and one number crèche in total, including: Block 1 residential building adjoining Block 2 (four-storeys, circa 1,700 square metres gross floor area), accommodating 16 number two-bed apartments, with associated balconies for each apartment on east and west building elevations from ground to third floor levels; Block 2 residential building adjoining Block 1 (four-storeys, circa 1,236 square metres gross floor area), accommodating 12 number two-bed apartments, with associated balconies for each apartment on east and west building elevations from

ground to third floor levels. Block 3 residential building (four-storeys, circa 1,236 square metres gross floor area), accommodating 12 number two-bed apartments, with associated balconies for each apartment on north and south building elevations from ground to third floor levels. Block 4 residential building (four-storeys, circa 2,384 square metres gross floor area), accommodating 24 number two-bed apartments, with associated balconies for each apartment on north and south building elevations from ground to third floor levels. Block 5 residential and crèche building (three to four storeys, circa 2,240 square metres gross floor area), accommodating 19 number two-bed apartments, with associated balconies for each apartment on south, east and west building elevations from ground to third floor levels, and ground floor crèche (circa 287 square metres gross floor area) with dedicated outdoor play area. Block 6 residential building (three to four storeys, circa 1,672 square metres gross floor area), accommodating 12 number two-bed apartments and two number three-bed apartments, with associated balconies for each apartment on north and south building elevations from ground to third floor levels. Block 7 residential building (four storeys, circa 2,384 square metres gross floor area), accommodating 24 number two-bed apartments, with associated balconies for each apartment on west and east building elevations from ground to third floor levels. All associated and ancillary site development works including construction of a basement car park with 134 number car parking spaces which includes 121 number residential car parking spaces, seven number disabled car parking spaces and the remainder for visitor and crèche staff car parking spaces, and 80 number bicycle spaces (circa 76 square metres gross floor area), six number surface car parking/set down spaces at Greenmount Lane; 48 number surface level bicycle spaces; vehicular access to new basement ramp via the existing site entrance/access road and gate at Harold's Cross Road; new gated pedestrian access via Greenmount Lane; roof-mounted solar panels on each of the proposed buildings; one number bin store (19.5 square metres) at ground level and two number bin stores (82 square metres) at basement level; one number attenuation tank; soft and hard landscape and boundary works, including provision of amenity open space and children's play facilities, all at Harold's Bridge Court, and numbers 1, 2 and 3, Clare Villas, Harold's Cross Road, Parnell Road and Greenmount Lane, Harold's Cross, Dublin. The site is bounded generally to the north by other housing and commercial development fronting Parnell Road, to the east by Harold's Cross Road, to the south by Greenmount House and Argus House office buildings and residential development accessed from Harold's Cross Road, Greenmount Avenue, Limekiln Lane and Greenmount Court, and to the west by Greenmount Lane.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

- 1 The proposed development would constitute substandard overdevelopment of the site by reason of lack of diversity in dwelling mix providing for variation in household formation, deficiencies in quantity, layout, quality and amenity potential of public open space provision, and lack of permeability and visual connectivity within the development and, connectivity, linkage across the development and with the established neighbourhood, excessive proximity between some of the blocks resulting in reciprocal overbearing impact, poor access to sunlight and daylight at some units, especially those at lower levels with a single north facing aspect and the proximity of some units to the external play areas for the crèche. As a result, the proposed development would fail to satisfy the recommendations and minimum standards in the “Sustainable Designs for New Apartments: Guidelines for Planning Authorities” issued by the Department of the Environment, Community and Local Government in 2015 and the Dublin City Development Plan, 2016-2022, would set a precedent for further similar development and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed use of designated spaces on Greenmount Lane which has a maximum carriageway width of six metres, serves existing residential development on Greenmount Lane and Limekiln Lane and industrial development on Greenmount Avenue, as a route for traffic

between Parnell Road and Harold's Cross Road and as the sole drop-off and collection point for the crèche within the development would result in additional turning movements at the junctions with the Regional routes and obstruction of the safe and free flow of vehicular traffic and pedestrian circulation. As a result, in the absence of an alternate means of vehicular access to the crèche for traffic originating outside the site of the development the proposed development would endanger public safety by reason of traffic hazard.

3. Part of the site comes within an area subject to the zoning objective: Z6: To provide for the creation and protection of enterprise and to facilitate opportunities for employment creation according to the Dublin City Development Plan, 2016-2022. It is the policy of the planning authority that possible residential development within lands subject to the Z6 zoning objective must be subsidiary to the employment generating land use and not conflict with the primary objective providing for employment requirements of the city. It is considered that the proposed residential development would eliminate the potential for the achievement of this primary objective, would set a precedent for further similar development at other locations subject to a similar zoning objective and would, therefore, materially contravene this development objective and be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2017.