



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 4611/17

APPEAL by Danny O'Malley care of McGill Planning of 7 Fitzwilliam Street Upper, Dublin against the decision made on the 23rd day of February, 2018 by Dublin City Council to refuse permission.

Proposed Development: Alterations to development as permitted under planning register reference number 3503/16, An Bord Pleanála appeal reference number PL 29S.247837 consisting of one additional storey to the permitted six-storey rear (southern) block onto Island Street to accommodate one additional apartment (two-bedroom, circa 107.9 square metres) with north and south facing balconies and all associated works at 10 Usher's Island and 32 Island Street, Dublin.

Decision

REFUSE permission for the above proposed development in accordance with 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

Having regard to the established built form and character of the surrounding area, to the provisions of the Liberties Local Area Plan with key objectives to promote sensitive infill, on lands zoned Z5, where it is an objective “To consolidate and facilitate the development of the central area and to identify, reinforce, strengthen and protect its civic design character and dignity” and the policies and objectives of the Dublin City Development Plan 2016 - 2022, in particular Section 16.7.2 - criteria for higher buildings, and having regard to the fact that the subject site is located at a mid-point of the urban block (where landmark buildings would be inappropriate), it is considered that the proposed development, by reason of its restricted width, the elongated nature of the site and its excessive height relative to surrounding buildings, would be visually incongruous in terms of its design, which would be out of character with the streetscape and, by reason of its prominence, would be contrary to the protection of the visual amenity of the Liffey Quays Conservation Area and contrary to section 16.2.1.1 of the Development Plan. Furthermore, by reason of its excessive scale and its location adjoining existing residential properties, it is considered that the proposed development would lead to an unacceptable level of overshadowing and would, thereby, seriously injure the residential amenities of adjoining property. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2018.