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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2921/18**

**APPEAL** by Genvest Unlimited Company care of Thornton O'Connor Town Planning of Number 1 Kilmacud Road Upper, Dundrum, Dublin against the decision made on the 27<sup>th</sup> day of June, 2018 by Dublin City Council to refuse permission to the said Genvest Unlimited Company.

**Proposed Development** The development will principally consist of the demolition of all existing structures on site (10,021 square metres) and the provision of a mixed-use development (28,980 square metres approximately over a part basement of 5,880 square metres (principally comprising 1,403 square metres hotel floor space and ancillary car parking)) in eight number blocks (ranging in height from part three storeys to part five storeys above ground) comprising 198 number residential apartments, a hotel, an aparthotel, crèche, office/incubator units and retail. Block A, B, C and D are five storeys in height above ground and will comprise the following: Block A (2,877 square metres) will provide 40 number apartments (21 number one beds and 19 number two beds); Block B (2,923 square metres) will provide 35 number apartments (six number one beds, 28 number two beds and one number three bed); Block C (2,905 square metres) will provide 39 number apartments (18 number one beds, 20 number two beds and one number three bed); and Block D (2,260 square metres) will provide 30 number apartments (11 number one beds and 19 number two beds). Block E (1,958 square metres) will be

part three/part four/part five storeys above ground and will provide 26 number apartments (10 number one beds and 16 number two beds); Block F (2,462 square metres) will be four storeys above ground and will provide 28 number apartments (14 number one beds, 11 number two beds and three number three beds)(2,154 square metres) and a crèche (308 square metres); Block G (6,531 square metres) will be five storeys above ground and will provide a 120 number bed aparthotel (5,784 square metres) and five number office/incubator units (747 square metres); Block H (8,468 square metres) will be five storeys over basement accommodating a retail unit (330 square metres) and a 172 number bed hotel (8,138 square metres) including three number function rooms and ancillary facilities at basement level. The development includes 238 number car parking spaces (168 number basement and 70 number surface); cycle parking; internal access roads and routes; the provision of apartment balconies facing south-west, north-east, south-east and north-west; hard and soft landscaping including an outdoor seating area for the hotel and a children's playground; a new ESB substation; boundary treatments; lighting; plant; service and refuse areas; and all associated works above and below ground, all on a 1.97 hectare site at the Crown Paints Facility, Numbers 1 - 3 Malahide Road, Coolock, 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

1. Having regard to the location of the site within an area zoned Z6 in the Dublin City Development Plan 2016 – 2022, where the objective is to provide for the creation and protection of enterprise and facilitate opportunities for employment, it is considered that the proportion and quantum of residential development proposed as part of the mixed used development envisaged in this application would not be sufficiently subsidiary to employment generation uses and would, therefore, contravene materially a development objective indicated in the Development Plan for the zoning of land for the use solely or primarily of particular areas for the purpose of employment/enterprise, and would conflict with the objective to develop the area as an employment centre in accordance with the strategic direction set down in section 14.8.6 of the Development Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. By reason of the close proximity of the development to adjoining third party sites, and notwithstanding the minor amendment to this proximity as submitted with the appeal, it is considered that the proposed development would unduly diminish neighbouring development potential and thus the consolidated and comprehensive development of the area. The proposed development would, therefore, be contrary to the land use zoning objective for the site and adjoining area, and would be contrary to the proper planning and sustainable development of the area.

3. It is considered that the outlook for those apartments which overlook the surrounding dated industrial landscape would seriously injure the residential amenity of future occupants of such apartment units. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Philip Jones**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2019.**