



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 3764/18

APPEAL by James and Kathleen Nolan of 24 Peter Place, Dublin and by John Kiefel of 11 Harcourt Terrace, Dublin against the decision made on the 20th day of November, 2018 by Dublin City Council to grant subject to conditions a permission to Strandmount Limited care of Thornton O'Connor Town Planning of Number 1 Kilmacud Road Upper, Dundrum, Dublin.

Proposed Development: Construction of a 43 number bedroom part two to part seven-storey (over a part double basement) aparthotel (2,743 square metres); 10 number ancillary basement car parking spaces; vehicular access to the basement car park via the existing ramp to the west; pedestrian access via the existing laneway at the south-east of the site; a screened roof terrace (facing north, east and west) at fourth floor level; bicycle parking; hard and soft landscaping; loading bay; boundary treatments; plant; and all associated site development works above and below ground at a 0.1024 hectare site at Charlemont Place, Dublin, principally bounded by a commercial building (number 21 Charlemont Place) to the south, the Green Line Luas track to the west, the 'Peters Place' residential dwellings to the north and the 'Hilton Mews', 'Harcourt Terrace/Harcourt Mews' residential dwellings and a commercial building (Charlemont House) to the east, Charlemont Place, Dublin. The site incorporates a Protected Structure (a Spring Well).

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 scale and proximity of the proposed development relative to residential property to the north, the Board considered that the proposed development would be overbearing and would negatively overshadow these properties and their gardens. The proposed development would seriously injure the amenities of residential property in the vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board did not consider that the design of the proposed development as submitted, had addressed the previous reasons for refusal of a development on this site in relation to residential amenity (PL29S.218778) and considered that the overshadowing and obtrusiveness of the proposed development remained unacceptable and that permission should be refused accordingly.

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

Dated this day of 2019.