



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 3637/18

APPEAL by Trenthall Limited care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 12th day of December, 2018 by Dublin City Council to refuse permission.

Proposed Development: The development will comprise of the following (i) reconstruction at number 49 and 50 Amiens Street to provide a three-storey over basement building, with a fourth floor penthouse level stepped back. The existing front facade to number 50 will be retained and altered/refurbished where necessary. The reconstructed building will contain nine number apartment units (eight number one bedroom apartments and one number studio). Basement level studio will be provided with a private courtyard to the rear. Penthouse level apartments will be provided with private terraces to the front/street elevation. (ii) Refurbishment, repair and extension at number 51 Amiens Street (Protected Structure) to provide four number one bed apartments; comprising basement and ground floor level rear extension, reconstruction of original lightwell, together with plinth walls and railings, to street elevation; removal of chimney breast at basement level; reinstatement of window openings at basement level in the front/street elevation, and provision of new door. New courtyard to rear to serve the basement level

apartment. Alterations to front facade at ground level to provide two number window openings. Block up non-original opening between number 50 and 51 at first floor level. Reinstatement of stairwell in number 51 to original form and position. (iii) Landscaped communal courtyard to the rear, together with bin storage and bicycle parking; SuDS drainage and all ancillary works necessary to facilitate the development, all at 49, 50 and 51 Amiens 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

1. Having regard to the lack of private open space to serve the proposed apartments, the poor quality of daylight that would be afforded to the proposed residential units in the basement, and the functional inadequacies in the overall internal layout of the apartments in the new building, it is considered that the proposed development would seriously injure the residential amenities of future occupants and would represent overdevelopment of the site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The appeal site is located in an area zoned “Z5” in the Dublin City Development Plan 2016 - 2022, where the objective is “to consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity”. This objective is considered reasonable. The proposed residential development, comprising of apartment units at street level without any degree of separation from the footpath, would not provide for an appropriate street edge at this location with sufficient animation at street level and a mixed of uses within the scheme. Furthermore, the presence of habitable rooms fronting directly onto the public footpath would create an unacceptable standard of residential amenity. The proposed development, including a new fourth storey, would seriously injure the special architectural character of the adjoining protected structures and the historic urban grain of this already compromised site. The elevations of the new proposal are inappropriately composed and would seriously compromise and injure the architectural character of this historic terrace comprising wholly of protected structures, would seriously injure the visual amenities of the historic streetscape and residential amenities for future occupants of the scheme and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2019.