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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 4034/20**

**APPEAL** by Clarman Developments Limited care of Declan Brassil and Company of Lincoln House, Phoenix Street, Smithfield, Dublin against the decision made on the 25<sup>th</sup> day of February, 2021 by Dublin City Council to refuse permission for the proposed development.

**Proposed Development:** The proposed development will consist of the demolition of all structures on site, except number 4 Sweeney's Terrace, and construction of a residential development (with a total Gross Floor Area of 3,096 square metres) to comprise of 39 number apartments (consisting of three number studio units; 16 number one-bed units and 20 number two-bed units) arranged in a single block rising from three number storeys to seven number storeys in height over a partial basement level with terraces/ balconies on eastern, southern and western elevations. Roof terraces are provided at third and fifth floor level. The proposed development also provides for change of use of number 4 Sweeney's Terrace from residential to office use, extension at ground and first floor level, increasing total Gross Floor Area from approximately 81 square metres to 88 square metres Gross Floor Area, together with associated elevational amendments, internal reconfiguration and modifications to fenestration including new windows on the north and southern elevations and repositioning of door to western elevation and use of the existing one number car parking space for the proposed commercial use. The

development will include 84 number bicycle parking spaces (60 number internal secure spaces at basement level and 24 number external, surface level visitor spaces), a set-down area within the site, bin stores, plant, electrical switch rooms and ESB substation, controlled pedestrian access to internal courtyard communal open space, landscape open space along the River Poddle including the opening up of approximate 31 metres of the river which is currently culverted, boundary treatments including the provision of controlled access to private open space and restricted access to the Poddle embankment area and the existing lane from Sweeney's Terrace (public access available during daylight hours), lighting and all associated site and development works on a site of 0.192 hectares, all at site at Sweeney's Terrace, Dublin, including number 4 Sweeney's Terrace (a habitable house to the rear of number 1 Sweeney's Terrace). The site is generally bound by a Student Accommodation and Residential scheme permitted under An Bord Pleanála Reference ABP-303436-19 (currently under construction) to the east, the River Poddle to the south, Dublin City Council Waste Management Depot to the west and properties fronting onto Sweeney's Terrace to the north.

## **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

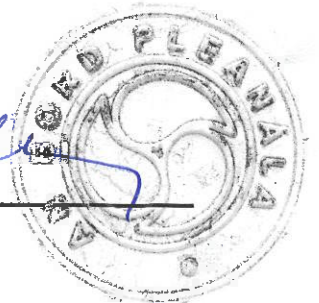
Having regard to the location of the site, its proximity to existing residential properties, and the pattern of development in the area where more recently permitted development has been located at a remove from existing residential properties and has stepped down in terms of height and scale as it moves towards those properties, it is considered that the proposed development would have an overbearing effect on the property in the area. The proposed development would, therefore, by itself and by the precedent it would set for other development, seriously injure the amenities of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.



**John Connolly**

**Member of An Bord Pleanála**

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



Dated this 30<sup>th</sup> day of NOVEMBER 2021.