

Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 2215/21

APPEAL by Vincent Keary care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 8th day of April, 2021 by Dublin City Council to refuse permission.

Proposed Development: (i) Demolition of the existing single storey building (389 square metres) which extends from Usher's Island to Island Street, (ii) construction of a part-six part-eight storey mixed-use development, consisting of the following uses: (a) 16 number apartments, comprising of five number studio apartments; five number one-bed apartments and six number two bed apartments. Each apartment is provided with a private amenity space in the form of a balcony and has access to communal amenity spaces. Access to the apartments is from Island Street and Usher's Island; and (b) 71 square metres of commercial (coffee shop) space at ground floor level with access from Usher's Island. The building is six-storey towards Usher's Island and eight-storey towards Island Street, (iii) the development features 28 number bicycle parking spaces; 16 number storage lockers; plant room; refuse storage; services; switch room; and an ESB substation (all at ground floor level), and (iv) permission is also sought for landscaping, drainage, and all

ancillary works necessary to facilitate the development 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

1. 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 identity" 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

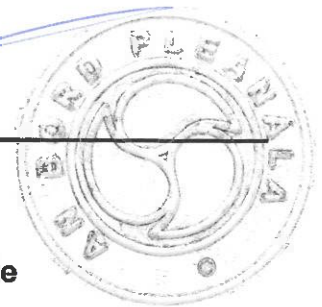
Area and contrary to section 16.2.1.1 of the development plan.

Furthermore, by reason of the provision of a stair/lift core structure of significant scale and partially closing off the western boundary, and such being out of character with the existing and permitted pattern of development, it is considered that the proposed development would lead to an unacceptable level of overshadowing and would, thereby, seriously injure the amenities of adjoining property. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The appeal site is located within Strategic Development Regeneration Area 16 (SDRA 16) of the Dublin City Development Plan 2016-2022 under which it is a key objective “to promote the principles of good urban design including improving connectivity and enhancing the legibility and permeability of the Liberties in relation to the wider cityscape”. The proposal provides for a substandard design approach to the street level frontage on Island Street, providing for a frontage lacking in any active frontage or lacking in any urban design character. The proposal would be contrary the key objectives of SDRA 16 as set out in the development plan and would, therefore, be contrary to the proper planning and sustainable development of the area.


Paul Hyde

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



Dated this 11th day of October 2021.