

Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: 2305/21

APPEAL by EWR Development Group Limited care of David Mulcahy Planning Consultants Limited of 67 The Old Mill Race, Athgarvan, Newbridge, County Kildare against the decision made on the 21st day of April, 2021 by Dublin City Council to refuse permission to EWR Development Group Limited.

Proposed Development The development will consist of the provision of 34 new residential apartments, comprising 12 number studio units, nine number one-bed units and 13 number two-bed units. The development is planned in two buildings, the front building presenting a new frontage over four levels to Clanbrassil Street Lower. The rear building is planned over five levels, including a setback penthouse level. A bridge links the two buildings. A communal residents' roof garden is proposed on the roof of the front building. A communal residents' courtyard is proposed at the ground floor between the buildings. All communal plant, bin storage and bicycle parking for 64 number bicycles is proposed at ground level. The demolition of an existing single storey shed (circa 90 square metres) on the site, to the rear of 65/66 Clanbrassil Street Lower is proposed to enable the works. The development

is accessed for residents from Clanbrassil Street Lower. Total site area is 1,168 square metres and the development Gross Internal Area is 2,644 square metres. All at site to the side/rear of 65, 66 and 66A, Clanbrassil Street Lower, Dublin.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

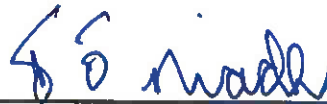
Matters Considered

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

The proposed development is located on a heavily trafficked road which is a Quality Bus Corridor and planned Bus Connects Core Bus Corridor route and is in an area where there are limited on-street loading facilities and car parking available. The proposed development, by reason of inadequate provision for servicing, delivery, drop-off and accessible parking facilities, would generate servicing activity and overspill parking onto Clanbrassil Street Lower and corresponding footpaths, thereby causing an obstruction to pedestrians, cyclists, bus operations and other road users. It is considered that the proposed development would be contrary to Section 16.38 of the current Development Plan for the area, would be contrary to Section 4.23 of the "Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities" issued by the Department of Housing, Local Government and Heritage in December 2020, would endanger public safety by reason of traffic hazard and would, therefore, be contrary to the proper planning and sustainable development of the area and set an undesirable precedent for similar developments in the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board noted, and agreed with, the planning authority's concerns regarding the lack of detail regarding servicing, including delivery access and drop-off.



Terry Ó Niadh

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 7th day of January 2022.

