

Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: 2782/21

APPEAL by Double E Investments Limited care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 12th day of July, 2021 by Dublin City Council to refuse permission.

Proposed Development: (i) Demolition of the existing two-storey building (licenced public house and ancillary off-licence) and infill of existing basement. (ii) Construction of a part four, six, seven and eight-storey mixed-use development consisting of the following uses: (a) 52 number apartments, comprising of 23 number one-bed apartments and 29 number two-bed apartments (access from Bunting Road). Each unit will have access to private amenity space via a balcony/terrace and 381.6 square metres of external communal amenity space is provided at fourth and sixth floor levels, (b) three number retail units at ground floor totalling 177.9 square metres (access from Walkinstown Road and Bunting Road), and (c) 383.8 square metres public house at ground floor (access from Walkinstown Road, Cromwellsfort Road and Bunting Road). The development features bicycle spaces (99 spaces located internally at ground floor level including one accessible space and two cargo bicycle spaces and 39 visitor spaces located externally); a refuse storage, a plant room and an ESB substation (all located at ground floor);

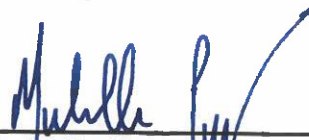
landscaping and all associated site development works at Kestrel House, 157 Walkinstown Road, Dublin.

Decision

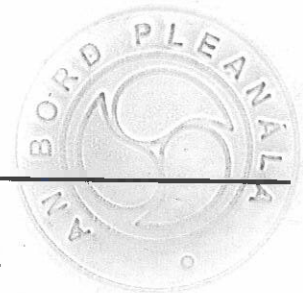
REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

It is considered that the proposed development would materially contravene the building height provisions of the Dublin City Development Plan 2016-2022, wherein a residential height limit of 16 metres applies to the 'Outer City'. Furthermore, the site adjoins an important telecommunications exchange site, and the application does not include adequate information to demonstrate that the proposal allows for the retention of important telecommunication channels. Accordingly, the Board is not satisfied that a material contravention of the development plan is justified in this instance, in that the proposed development fails to meet the criteria set out in Section 3.2 and Specific Planning Policy Requirement 3(A) of the Urban Development and Building Height Guidelines for Planning Authorities, issued by the Department of Housing, Planning and Local Government in December 2018. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



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



Dated this 20th day of May 2022.