

An  
Bord  
Pleanála

Board Order  
ABP-311122-21

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 4007/20**

**APPEAL** by the Irish Georgian Society of City Assembly House, 58 South William Street, Dublin and by Richard J McBratney of 40 Percy Place, Dublin and by others against the decision made on the 20<sup>th</sup> day of July, 2021 by Dublin City Council to grant subject to conditions a permission to Esprit Investments Limited care of John Spain Associates of 39 Fitzwilliam Place, Dublin.

**Proposed Development:** Proposed development consisting of the following:

- (i) Provision of office development 1,657 square metres of up to five storeys in height (including lower ground floor) with terrace at set-back top floor.
- (ii) Provision of two number two-bedroom apartments over two storeys accessed from Herbert Lane, including private and communal open space in the form of courtyards, terrace and balcony.
- (iii) All associated and incidental site development and infrastructural works, including site clearance, plant, substation and PV panels, landscaping and bicycle parking.

All at car park adjacent to number 4 Herbert Place and Herbert Lane, Dublin.

## Decision

**REFUSE permission for the above proposed development for the reasons and considerations set out below.**

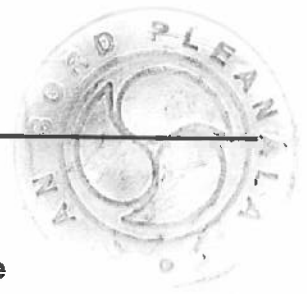
## Reasons and Considerations

Having regard to the bulk, height and siting of the proposed development, the forward positioning of the structure from the existing terrace along Herbert Place and the consequent nature of the proposed interface with number 4 Herbert Place, it is considered that the development, as proposed, would detract from the setting, character and appearance of this Conservation Area and would seriously injure the amenities of the area. The proposed development would fail to satisfy Policy BHA9 of the Dublin City Development Plan 2022-2028, which seeks to protect the special interest and character of Dublin's Conservation Areas, where development within or affecting a Conservation Area must contribute positively to its character and distinctiveness. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



**Una Crosse**

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



Dated this

*12<sup>th</sup>* day of *April*

**2023.**