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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3115/21**

**APPEAL** by Eugene Carlyle care of Sheridan Woods of 14 Baggot Street Lower, Dublin against the decision made on the 31<sup>st</sup> day of August, 2021 by Dublin City Council to refuse permission for the proposed development.

**Proposed Development:** Mixed-use development comprising a build-to-rent (BTR) residential development, a hotel, office/enterprise space and enterprise units at a site circa 0.4073 hectares located and accessed from the Kilmore Road, Artane, Dublin. The development consists of the demolition of the existing single storey building (circa 2,752 square metres) and sections of boundary walls (some subject to agreement with adjoining landowners); the construction of two building blocks A & B (Block A to the south and Block B to the north), defining and separated by an urban square, Block A (comprising of a hotel, enterprise units, BTR apartments with associated communal residential amenities, with two number roof gardens at 2<sup>nd</sup> floor podium level and 5<sup>th</sup> floor rooftop level) and Block B (comprising of enterprise units, office/enterprise units, BTR apartments with associated communal residential amenities and roof garden; 5<sup>th</sup> floor rooftop level, further detailed below; with a total gross floor area of circa 10,323 square metres).

Block A is a two-, five- + seven-storey building, it faces Kilmore Road (to the south), the access road (to the east), the boundary of the Butterly Business Park (to the west) and is designed as two blocks linked by a two-storey podium with landscaped roof garden.

The southern part of Block A comprises a 77-bedroom hotel, including a ground floor restaurant (circa 187 square metres) with associated external dining area and ground floor colonnade to the south-west, café/bar (circa 83 square metres), four number first floor meeting rooms (circa 210 square metres), gym and business centre facilities (with shared usage by BTR residential units), 77 bedrooms over second, third, fourth, fifth and sixth floors, plant/services room at seventh floor (roof level), with solar panels at 7<sup>th</sup> and 5<sup>th</sup> floor roof levels and extensive green roof at 2<sup>nd</sup> floor, all with a gross floor area of 3,950 square metres.

The northern part of Block A also includes a two-storey podium with roof garden, ground floor colonnade to three number ground floor enterprise units with gross floor area of 194 square metres, refuse areas, bicycle parking, a one-way vehicular and a pedestrian route under the block from the urban square, turning to link to the Eastern Access Road, with car parking at ground and first floors, with associated car lift access from urban square, 20 number apartments BTR over second, third and fourth floors (eight number one-bed units; 12 number two-bed units), all with balconies or terraces facing north, south and west), second floor associated community room (circa 37 square metres), and external landscaped semi-private deck area (circa 457 square metres), fifth floor community room (circa 18 square metres) and landscaped rooftop garden area (circa 267 square metres), and extensive green roof, all with a gross floor area of 3,330 square metres.

Block B includes ground floor colonnade to two number ground floor enterprise units (circa 323 square metres), refuse areas, secure bicycle parking, BTR concierge/reception, first floor office/enterprise unit (circa 471 square metres), BTR common room (circa 85 square metres), 21 number apartments over second, third and fourth floors (nine number one-bed units;

12 number two-bed units), all with balconies or terraces facing north, south and west)), fifth floor community room (circa 18 square metres) and landscaped rooftop garden area (circa 267 square metres), and extensive green roof, all with a gross floor area of 3,043 square metres.

The development includes four number refuse stores, three number bicycle stores, 100 number cycle parking spaces, 48 number car parking spaces, including three number car club parking spaces, two number set-down areas for hotel, one number loading bay, two number car lift waiting spaces, community amenity open space at second floor podium level to Block A (circa 457 square metres), and at roof level/fifth floor of Blocks A and B (circa 534 square metres), boundary treatments and all associated site works, including sustainable urban drainage systems, green roof systems, waste management areas, roof plant, associated hard and soft landscaping, and all other associated site excavation, infrastructural and site development works above ground, including boundary treatments and associated site servicing (foul and surface water drainage and water supply). Access to the scheme will be via Kilmore Road.

All on the site of the old 'Novum' Building, part of the estate known as the Artane Business Park, located east of the Butterly Business Park and west of the access roadway through the estate, Kilmore Road, Artane, Dublin.

## **Decision**

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

## Reasons and Considerations

1. Having regard to the location of the site within an area zoned Z6 in the Dublin City Development Plan 2016-2022, the objective of which is 'to provide for the creation and protection of enterprise and facilitate opportunities for employment creation', it is considered that the proportion and quantum of residential development proposed, as part of a mixed-use development envisaged in the application, would not be sufficiently subsidiary to employment generation uses, would contravene materially the said zoning objective and would conflict with the objective to develop the area as an employment centre in accordance with the strategic direction set down in section 14.8.6 of the current development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development, by reason of its proximity to the site boundaries and third-party lands, would have a detrimental impact on the development potential of the adjoining lands to the east and west, would unduly diminish neighbouring development potential and the consolidated redevelopment of the area. The proposed development would be contrary to the land use zoning objective for the site and adjoining area and would, therefore, be contrary to the proper planning and sustainable development of the area.



**Chris McGarry**

**Member of An Bord Pleanála**

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

Dated this 21<sup>st</sup> day of September 2022.

