



An  
Bord  
Pleanála

## Board Order ABP-313278-22

### Planning and Development Acts 2000 to 2022

#### Planning Authority: Dublin City Council

**Application** for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, in accordance with plans and particulars, lodged with An Bord Pleanála on the 11<sup>th</sup> day of April 2022 by U and I (White Heather) Limited care of Avison Young of 2-4 Merrion Row, Dublin.

#### Proposed Development comprises of the following:

1. Demolition of all existing buildings on site except 307/307a South Circular Road including industrial storage warehouses and office buildings comprising a total of circa 6,604 square metres floorspace;
2. A mixed residential and commercial development with a total floorspace of circa 30,242 square metres. Total proposed residential floorspace is circa 26,119 square metres and consists of a total of 335 number Build to Rent residential units including Part V provision as follows:
  - A terrace of seven number three-storey three-bed townhouses,
  - Block B01 (five storeys) comprising 24 number units (14 number one-bed units and 10 number two-bed units),
  - Block B02 (five to seven storeys) including a link to Block B02A (five storeys) comprising 84 number units (56 number one-bed units and 28 number two-bed units),

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- Block B03 (five to ten storeys) including 77 number units (48 number one-bed units and 29 number two-bed units) and Resident's Amenity (circa 1,001 square metres) with main entrance hall, Concierge and Management Office at undercroft and ground floor, Gym, Events Suite and a 'Canal Café' at ground floor level, Co-Working/Lounge, Cinema/Media Room, Dining/Kitchen area and access to an external roof terrace at fifth floor level (Level 05),
  - Block B04 (five to seven storeys) comprising 72 number units (48 number one-bed units and 24 number two-bed units),
  - Block B05 (five storeys) comprising 10 number units (six number one-bed units and four number two-beds) with a café unit (circa 46 square metres) at ground floor level,
  - Block B06 (two to five storeys) comprising 29 number units (two number studio units, seven number one-bed units, 14 number two-bed units and four number two-bed duplex units and two number three-bed duplex units),
  - Block B07 (three to five storeys) comprising 32 number units (17 number one-bed units and 15 number two-bed units);
3. One number two-storey Childcare Facility/Creche (circa 260 square metres);
  4. A total of (circa 2,960 square metres) public open space landscaped and broken into seven number distinct character areas and linking through Canal Square, a Pedestrian Priority Street between Blocks B03 and B04 to a publicly accessible landscaped Linear Park along the Grand Canal within the Z9 Amenity/Open Space lands;
  5. Communal open space of circa 2,160 square metres made up of circa 1,560 square metres at ground floor and circa 600 square metres on roof terraces;
  6. The proposed Part V provision of 34 number units and 10% of the total units are proposed to be provided at Block B01 and Block B05 as 20 number one-bed units and 14 number two-bed units;

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7. 106 number car parking spaces are provided with 41 number car parking spaces at grade, including five number parking spaces within the curtilage (carports) of townhouses, and 65 number car parking spaces at undercroft area (circa 1,890 square metres) with lobbies linking to Blocks B02 and B03 entrance lobbies, cycle parking storage areas, staff area, refuse store areas and plant areas;
8. 558 number bicycle spaces at surface (352 number spaces) and undercroft level (206 number spaces) of which 491 number are secure bicycle spaces (three number of which are cargo spaces) and 67 number are visitor spaces (five number of which are cargo spaces);
9. Realignment and improvement works to the existing entrance junction on South Circular Road and the existing entrance to Priestfield Cottages to provide road markings, footways and formal uncontrolled crossing points;
10. Works to surface treatments to provide pedestrian and cycle access only to the existing entrance at Saint James's Terrace;
11. A change of use of the existing two-storey residential units 307/307a South Circular Road from residential to shared workspace/office space (circa 165 square metres);
12. Three number electricity substations in Blocks B02, B03 and B04; and
13. All enabling and site development works, hard and soft landscaping, public realm works, public art, lighting, services and connections, waste management and all other ancillary works.

The site is bounded by The Grand Canal to the south, Our Lady of Dolour's Church, and private rear gardens to residential dwellings on South Circular Road to the north, Priestfield Cottages to the east and rear gardens to residential dwellings on St James's Terrace as well as an access point to the public road to the west.

All located at White Heather Industrial Estate, South Circular Road, Dolphins Barn, Dublin and including a residential dwelling at 307/307a South Circular Road, Dublin and an industrial building at 12a Saint James's Terrace, Dublin.

## **Decision**

**Refuse permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations set out below.**

## **Reasons and Considerations**

1. Having regard to the design and layout of the proposed development and in particular to the scale and proximity of elements adjacent to existing residential properties, it is considered that the proposed development would have significant adverse impacts on residential amenities by way of overlooking, overbearing, and overshadowing. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development would have an adverse impact on the adjoining "Z2" Conservation Area at South Circular Road, in particular houses numbers 309 to 319 South Circular Road, by way of overlooking, overshadowing and visual impacts, contrary to Policy BHA9 of the Dublin City Development Plan 2022 - 2028, which seeks to protect the special interest and character of "Z2" Conservation Areas. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the provisions of the “Sustainable Residential Developments in Urban Areas - Guidelines for Planning Authorities” and the accompanying Urban Design Manual, A Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009, to accompany the “Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities”, issued by the Department of Housing, Planning and Local Government in December 2020, and the design and layout of the proposed development, it is considered that the proposed development by reason of inadequate standards of daylight and sunlight within apartment units, in the absence of detailed compensatory measures, would contravene policies QHSN36 High Quality Apartment Development and QHSN37 Houses and Apartments of the Dublin City Development Plan 2022 - 2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



**Patrcia Calleary**

**Member of An Bord Pleanála**

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

**Dated this 16<sup>th</sup> day of September 2024.**