

An
Bord
Pleanála

Board Order ABP-314124-22

Planning and Development Acts 2000 to 2021

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 20th day of July 2022 by The Adroit Company Limited care of Delphi Design, Architecture + Planning of 13 The Seapoint Building, 44-45 Clontarf Road, Dublin.

Proposed Development comprises of the following:

194 number dwellings comprised of studio, 1, 2 and 3 bed apartment units in four number two to nine storey blocks (Blocks A to D). The development also includes one number commercial and retail unit (circa 175 square metres) at ground floor level of Block A, one number creche (142.2 square metres) at ground floor level of Block C and 22 number artist work studios and exhibition space (1,958 square metres gross floor area) at ground and 1st floor level of Block D, all on a site area of 1.01 hectare.

Permission is sought for the demolition of all existing buildings on site (circa 5,356 square metres), i.e.

- (a) Four number three storey duplex residential buildings (i.e. 48 number dwellings, circa 3,542 square metres) and two number one storey detached dwellings i.e. Numbers 49 and 50 (circa 40 square metres and 41 square metres respectively) all within Harold's Bridge Court,
- (b) Three number two storey houses at Numbers 1 to 3 Clare Villas (circa 331 square metres in total) and

- (c) An existing warehouse (circa 1,248 square metres) and ancillary structures (circa 154 square metres) fronting onto Greenmount Lane.

Vehicular access to the proposed development will be via Harold's Cross Road, utilizing the existing entrance to Harold's Bridge Court. Limited vehicular traffic will be allowed enter the site from Greenmount Lane, with no vehicular traffic progressing through the entire development. Pedestrian and cyclist access is proposed via Greenmount Lane, Limekiln Lane and Harold's Cross Road.

The proposed development consists of the following:

Block A is a four to seven storey building accommodating 56 number dwellings comprised of 29 number one-bed and 27 number two-bed apartments. Block A also includes one number commercial and retail unit (circa 175 square metres) at ground floor level, with a communal amenity room (circa 35 square metres) and two number communal roof gardens (circa 144 square metres and circa 39 square metres respectively) on the 6th floor. Bin and bicycle stores, substation and switch room are accommodated at ground floor.

Block B is a two to three and five to nine storey building accommodating 56 number dwellings comprised of two number studio units, 20 number one-bed, 32 number two-bed and two number three-bed apartments. Block B also includes a communal amenity room (circa 53 square metres) on the 3rd floor, with a communal roof garden (circa 164 square metres) also on the 3rd floor. Bin and bicycle stores are accommodated at ground floor.

Block C is a four to eight storey building accommodating 57 number dwellings comprised of 15 number one-bed, 39 number two-bed and three number three-bed apartments. Block C also includes a one storey creche (142.2 square metres) at ground floor level, with associated outdoor play space (circa 233 square metres), bin stores at ground floor level and a communal amenity room (circa 50 square metres) on the 7th floor, with a communal roof garden (circa 169 square metres) also on the 7th floor.

Block D is a four to five storey building accommodating 25 number dwellings comprised of one number studio unit, 16 number one-bed, seven number two-bed and one number three-bed apartments. Block D also includes 22 number artist work studios and exhibition space (1,958 square metres) at ground and 1st floor level, and communal open space (circa 124 square metres) at 2nd floor level. Bin and bicycle stores are accommodated at ground floor.

The proposed development provides for public open space (circa 1,355 square metres), hard and soft landscaping and boundary treatments. Communal residential amenity areas and open spaces are provided for in the form of communal roof gardens and communal rooms associated with the individual blocks. Additional communal open space is provided at ground level totalling circa 577 square metres. Private open spaces for the proposed dwellings are provided as terraces at ground floor level of each block and balconies at all upper levels.

Car parking is to be provided in the form of surface and basement level car parking (65 number spaces in total). Blocks B and C are located above the proposed basement, which accommodates 58 number car parking spaces (including electric vehicle parking), four number motorcycle spaces and 426 number bicycle parking spaces (inclusive of eight number cargo bike spaces and 48 number electric bicycle spaces). There are an additional seven number surface level car parking spaces proposed (including four number club car spaces), and 50 number surface bicycle parking spaces. Bicycle parking is also accommodated at ground floor level within Blocks A, B and D (104 number spaces in total).

The proposed development includes for all associated site development works above and below ground, bin and bicycle stores, plant (Mechanical and Electrical), two number substations, public lighting, servicing, signage, surface water attenuation facilities etc all located at 'Harold's Bridge Court' and Numbers 1 to 3 Clare Villas, located at Harold's Cross Road and Greenmount Lane, Harold's Cross, Dublin 6W. The site is bounded:

- (a) to the north, by the rear of existing dwellings (Numbers 1 to 8a Parnell Road and Number 20 Greenmount Lane) and commercial development (i.e. "Greenmount Office Park") fronting onto Parnell Road,



- (b) to the south and east by commercial development i.e. "Greenmount House" and "Argus House" office buildings, and residential development i.e. "Boyne Court",
- (c) to the east by Harold's Cross Road, and
- (d) to the west by Greenmount Lane and to the south-west by Limekiln Lane.

Decision

Refuse permission for the above proposed development based on the reasons and considerations set out below.

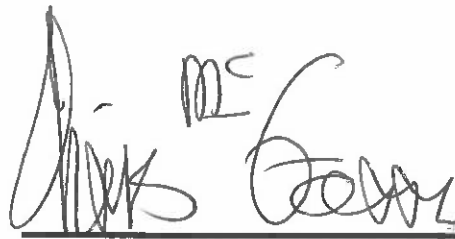
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Reasons and Considerations

Having regard to the massing, scale, extent and design of the overall proposed development, in conjunction with the disposition of the proposed buildings on site, it is considered that the proposed development would be visually incongruous at this prominent location, would fail to respond adequately or integrate in a cohesive manner with the immediate and surrounding built environment and would fail to make a positive contribution to the urban neighbourhood and streetscape. The proposed development would seriously injure the character and visual amenity of the wider area and would not be justified under the criteria for additional height set out in the Urban Development and Building Heights 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.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered the totality of the documentation on file, including the submissions from all parties. The Board did not disagree with the Inspector that a development on this site, incorporating increased density and height and to a broad form of layout as set out in the application, could be acceptable in principle, but did disagree with the Inspector that, subject to a reduction in height of Blocks B and C, the specific bulk and massing, detailed design of the scheme was acceptable. Specifically, while the Board noted and shared the view of the Inspector that the attempt of the applicant to reduce any visual impact from the proposed development by placing the higher elements more centrally within the site has not been achieved in the design proposal as lodged, the Board did not agree that the removal of two floors from Block B and the removal of the top floor of Block C, (described by the Inspector as excessively dominant) would successfully resolve the adverse impact of the proposed development in respect of visual dominance and overbearance.

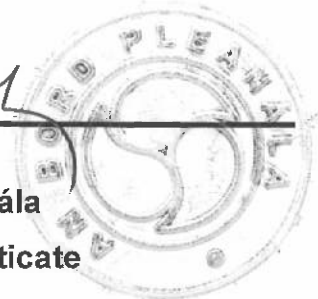
Instead, the Board considered that these proposed buildings, individually and cumulatively in terms of scale and disposition on site and in terms of the overall massing effect of these buildings along with Block A, would not deliver an enhanced or cohesive urban design context at this prominent location and thus, would constitute poor design and would seriously injure the visual amenities of the area, either as lodged or with the removal of floors as recommended by the Inspector. Furthermore, the Board noted the comments of the Inspector, that Block A would be highly visible but not overly dominant. Having considered the relevant architectural drawings and the Verified Views submitted with the application, the Board concluded that the physical scale, massing and design of Block A would not only be highly visible but would also be over bulky in its specific design form and would not integrate in a cohesive manner at this location either with surrounding existing development or within the different design forms of the other proposed blocks on site.



Chris McGarry

Member of An Bord Pleanála

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



Dated this 27th day of October 2022