

An
Bord
Pleanála

Board Order
ABP-314514-22

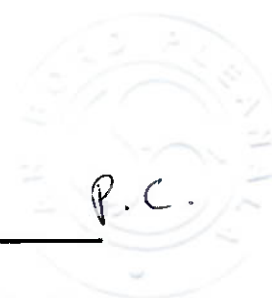
Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 4243/22

APPEAL by Acragar Limited care of CDP Architecture of 4 The Mall, Main Street, Lucan Village, County Dublin against the decision made on the 4th day of August, 2022 by Dublin City Council to refuse permission.

Proposed Development: Modifications to the previously approved permission planning register reference number 3619/20 (An Bord Pleanála ABP- 309667-21). Modifications are to include the addition of three number extra units achieved by way of internal changes to the third floor and an additional floor to the previously granted Block 2 bringing the total number of floors of the building from four-storey to five-storey and increasing the total units in the proposed development from 24 number units which consisted of 17 number one-bed and seven number two-bed to 27 number units consisting of 19 number one-bed, seven number two-bed, one number three-bed and addition of residential bin store. All associated signage, site works, drainage, street lighting and landscaping are as per the previously granted scheme, all at 40, 41, 42, and 42A Clanbrassil Street Upper, Dublin.



Decision

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

Reasons and Considerations

Having regard to the design, height, scale, mass, bulk, and relationship of the proposed mixed-use building relative to adjoining and neighbouring residential properties, particularly to the north, north-east and east of the site, it is considered that the proposed development would be overbearing in relation to these residential properties and would result in excessive overshadowing and overlooking. The proposed development would be contrary to the objectives of the Z1 zoning, as set out in the Dublin City Development Plan 2022-2028, which seeks 'to protect, provide and improve residential amenities.'

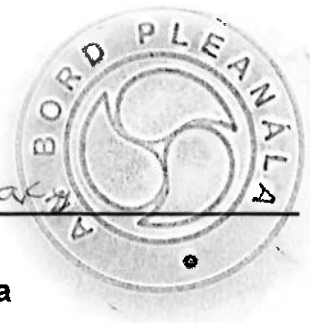
Furthermore, it is considered that the proposed development would fail to integrate or be compatible with the existing and emerging character of the streetscape. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Patricia Calleary

Member of An Bord Pleanála

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



Dated this 24 day of January 2024.