



Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 4458/22

APPEAL by Joinville Limited care of Meitheal Architects of 44 Northumberland Road, Ballsbridge, Dublin against the decision made on the 5th day of September, 2022 by Dublin City Council to refuse permission.

Proposed Development: Amendments to the permitted development as granted under Register Reference 4018/18 to include the following; replacement of permitted Block A, a three-storey apartment building (1,159 square metres) containing six number three-bedroom single storey apartments and six number two-bedroom single storey apartments (12 number in total) with a new three and part four-storey apartment building (1,573.75 square metres) containing eight number two-bedroom single storey apartments, three number two-bedroom (three-person) single storey apartments, five number one-bedroom single storey apartments and three number studio single storey apartments, bin and bicycle storage (19 in total an increase of seven units). All associated site development and landscape works, nine number car parking spaces within landscaped courtyard, provisions of new soft and hard landscaped areas, bicycle parking and all other associated and ancillary works. Demolition of existing shed structure to rear of site as permitted under Register Reference 4018/18. There are no

works proposed to the Protected Structure arising from this application at Hollybrook House, 55 Naas Road, Dublin (a Protected Structure).

Decision

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

Reasons and Considerations

1. It is considered that the proposed development, comprising a four-storey structure, would be over-bearing, excessive and out of scale, having regard to the immediate architectural context and would, therefore, represent significant over-development of this sensitive site, which accommodates a Protected Structure, and which adjoins a Conservation Area. The proposal would cause serious injury to the amenity, architectural significance, legibility, special architectural character and setting of the Protected Structure. Accordingly, the proposed development would seriously contravene Policy BHA2 (b and d) of the Dublin City Development Plan 2022-2028 and would set an undesirable precedent for the development within and adjacent to historic buildings and protected structures in the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



2. Having regard to the Z1 zoning objective, as set out in the Dublin City Development Plan 2022-2028, which seeks to protect, provide and improve residential amenities, and to the height and scale of the proposed development and its proximity to adjoining residential development, it is considered that the proposal would have a detrimental impact on adjoining residential amenity by reason of overbearance, loss of privacy, would be visually incongruous and would have a negative impact on the character of the area. The proposed development would, therefore, seriously injure the amenities of neighbouring occupiers, would depreciate the value of property in the vicinity, and would be contrary to the zoning objective, to the policies of the Dublin City Development Plan 2022-2028 and 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 1st day of February 2024