



An
Bord
Pleanála

Board Order
ABP-314691-22

Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: 3361/22

Appeal by Declan Murphy and Partners care of BPS Planning Consultants Limited of Ballinatone Lower, Greenan, County Wicklow and by Durkan Residential Limited care of Brock McClure of 63 York Road, Dún Laoghaire, County Dublin against the decision made on the 1st day of September, 2022 by Dublin City Council to grant subject to conditions a permission to the said Durkan Residential Limited.

Proposed Development: Construction of 52 residential units (each with private balcony/terrace) within three apartment blocks (A, B and C) ranging from three to eight storeys, with a ground floor unit in Block A. Block A at eight storeys comprises retail (circa 106.1 square metres), at ground floor fronting both Church Street and Brunswick Street North, 28 number residential units (15 number one-bed, 13 number two-bed) and a terrace at seventh floor (54.2 square metres). Block B at six storeys comprises 17 residential units (seven number one-bed and 10 number two-bed) with bin store and bicycle storage at ground floor level. Block C at three to four storeys comprises seven number residential units (four number one-bed and three number two-

bed). Pedestrian access to residential units is from Brunswick Street North. Permission is sought for all associated site development works, an ESB substation at ground floor level onto Church Street Upper, landscaping/public realm works and 108 number bicycle parking spaces, all on site of 0.1067 hectares at the corner of Brunswick Street North and Church Street Upper, Dublin.

Decision

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

Reasons and Considerations

1. Having regard to the increased density, height, mass and volume, it is considered that the proposed development would constitute overdevelopment of the site which would result in an unreasonable overbearing impact on the visual and residential amenities of the area. The proposed development would, therefore, both by itself and by the precedent it would set for future development, seriously injure the visual and residential amenities of property in the vicinity of the site, would seriously injure the character of the area, would be contrary to the provisions of the Dublin City Development Plan 2022 - 2028 and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the number of north facing residential units, the configuration and orientation of the open space courtyard, and the inclusion of front door units and their associated private open space facing directly onto Brunswick Street North, it is considered that the proposed development would offer a poor level of amenity for future residents and would be contrary to the “Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities”, issued by the Department of Housing, Local Government and Heritage in December 2022. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. It is considered, by reason of the blank gable elevation and lack of articulation of Block A, combined with its proximity to 98 Brunswick Street North, that the proposed development would materially and adversely affect the character and setting of the Protected Structure and would seriously detract from the architectural character and setting of the streetscape generally. The proposed development would, therefore, adversely affect the character of this Protected Structure, would seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.



Martina Hennessy

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 24th day of October 2023.