



An  
Bord  
Pleanála

## Board Order ABP-318195-23

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 4203/23**

**Appeal** by Kavco Project 9 Limited care of Manahan Planners of 38 Dawson Street, Dublin against the decision made on the 14<sup>th</sup> day of September, 2023 by Dublin City Council to refuse for the proposed development.

**Proposed Development:** Permission to amend planning permission register reference 2725/21 by change of use in the lower ground/basement level, to remove car park usage (and 18 car parking spaces), from the approved usage of car parking, bicycle parking, plant rooms and bin storage at this level. It is proposed to retain the approved usages of bicycle, parking plant rooms and bin storage at this level. There are no changes proposed to the height, footprint or visual appearance of the permitted development, at the former Fodhla Printing Works, Brookfield Road, Kilmainham, Dublin.

### Decision

**REFUSE** permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under.

## Reasons and Considerations

1. The proposed removal of car parking spaces including car share provision and accessible parking space would have a negative impact on the permitted mobility strategy for the development under register reference 2725/21 and would, therefore, be contrary to conditions 1 and 9 of that permission.
2. The applicant has not demonstrated that car-free development would be suitable for a development of this scale on this site. The proposed development would be detrimental to the residential amenities, public roads and footpaths of the area due to the likelihood of overspill car parking on a street which already provided with a low level of on-street car parking, and obstruction of footpaths arising from the same. The proposed development would be contrary to Appendix 5, Section 4 of the Dublin City Development Plan 2022-2028, and the 'Z1' land-use zoning objective of the site, and would, therefore not, accord with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board had regard to the submissions on file.

The Board considered that neither the first party appeal submission or the Mobility Management Plan submitted with the application address the concerns raised in the planning authority's Transport Planning Divisions report, in particular, the impact that removing all parking from the scheme would have at this location as servicing the building would result in obstruction of other road users, and the impact the removal of the accessible car parking space and car club spaces will have on serving the travel needs of residence of all ages and abilities.

The Board noted the development as permitted provides for a relaxation of the maximum car parking standard in the Development Plan for this location, the removal of all car parking spaces is not considered appropriate at this location and is not in accordance with the criteria set down in Section 4 of Appendix 5 of the Dublin City Development Plan 2022-2028.



**Mary Henchy**

**Member of An Bord Pleanála**

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

Dated this 15<sup>th</sup> day of October 2024.