

An
Bord
Pleanála

Board Order ABP-318733-23

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 4563/23

Appeal by Frank McAuliffe care of CCH Architects Limited of Lacken House, Dublin Road, Kilkenny against the decision made on the 23rd day of November, 2023 by Dublin City Council to refuse permission for the proposed development.

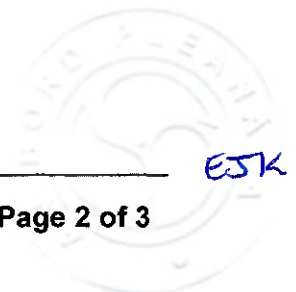
Proposed Development: Permission sought for the demolition of an existing two-storey building plus site clearance and the erection of a part five storey/part six storey building, containing 11 number one and two bed apartments, communal open space at roof level, office unit on two levels, bicycle and bin storage with yard and associated site works, at 32 Infirmary Road (corner of Infirmary Road and Montpelier Hill), Dublin.

Decision

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

Reasons and Considerations

1. Having regard to the size of the site and the plot ratio, density, height and scale of development proposed, it is considered that the proposed development would result in overdevelopment of the site which would seriously injure the residential amenity of existing neighbouring dwellings to the east and to the south by reason of the overbearing impact on existing dwellings. The proposed development would be contrary to the provisions of Appendix 3 of the Dublin City Development Plan 2022-2028, and would therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the prominent location of the site, to the established built form and character of Montpelier Hill and Infirmary Road, including an adjacent terrace listed on the National Inventory of Architectural Heritage (NIAH), it is considered that the proposed development, consisting of a five-storey above lower ground floor building with a one-storey setback along a significant length of the street frontage, would be incongruous in terms of its design, which would be out of character with the surrounding streetscape, and would set an undesirable precedent for future development in this area. The proposed development would seriously injure the visual amenities of the area, would be contrary to Policy QHSN10 (Urban Density) of the Dublin City Development Plan 2022-2028, and would, therefore, be contrary to the proper planning and sustainable development of the area.



3. The proposed development, by reason of its inadequate qualitative and quantitative provision of apartment floor space and communal open space, would conflict with Sections 15.9.2 and 15.9.8 of the Dublin City Development Plan 2022-2028 and Section 3.8 of 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, (as updated in 2023) and would not result in a satisfactory level of residential amenity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Eamonn James Kelly

Eamonn James Kelly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *4th* day of *October*, 2024.

