



An
Bord
Pleanála

Board Order
ABP-318993-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3859/23

APPEAL by James K. Glynn and others care of 7 Abercorn Road, East Wall, Dublin against the decision made on the 8th day of January, 2024 by Dublin City Council to grant subject to conditions a permission to Raymond O'Malley care of Kieran O'Malley and Company Limited of 2 Priory Office Park, Stillorgan Road, Blackrock, County Dublin.

Proposed Development: Demolition of the two-storey industrial/office building (331 square metres) at 17/21 Church Street East and the construction of 28 number apartments (with balconies) in a part five part six storey building (gross floor area 2,123 square metres) comprising three number studio apartments (39-40 square metres), 15 number one bedroom apartments (48-59 square metres) and 10 number two bedroom apartments (65-88 square metres), 52 number secure bicycle spaces, bin store and plant room, a landscaped communal roof terrace at fifth floor level, building accesses at Church Street East and Abercorn Road and all ancillary site development works on a site at numbers 17-23 Church Street East with frontage to Abercorn Road, East Wall, Dublin as revised by the further public notices received by the planning authority on the 4th day of December 2023.

Decision

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

Reasons and Considerations

It is considered that the proposed development, by reason of its layout, height, scale, and massing, with an initially proposed density of 477 units per hectare, reduced at further information stage to 392 units per hectare, would result in a significant negative impact on the established residential amenities of adjacent and neighbouring residential properties by virtue of overshadowing and loss of daylight, would constitute overdevelopment of the site and seriously injure the amenities of the area and of property in the vicinity and would be contrary to Policy QHSN10 of the Dublin City Development Plan 2022-2028 (Urban Density) which seeks to promote residential development at sustainable densities throughout the city in accordance with the core strategy, particularly on vacant and/or underutilised sites, having regard to the need for high standards of urban design and architecture and to successfully integrate with the character of the surrounding area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board noted the concerns expressed by the inspector in relation to overdevelopment of the site, and the subsequent recommendation of the inspector that a floor be omitted by condition. However, the Board concluded that the extent to which the impact on adjacent properties would be mitigated by the removal of an additional floor could not be accurately assessed on the basis of the submitted plans and particulars.

Furthermore, the Board was not satisfied that the proposal demonstrated the exceptional circumstances required to permit a development substantially in excess of the density range specified in the Dublin City Development Plan 2022-2028, or the density limit of 300 dwellings per hectare as specified in the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024.



Liam McGree

Member of An Bord Pleanála

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

Dated this 10th day of *JUNE* 2025.