

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3433/23

APPEAL by Tullington Ireland care of Thornton O'Connor Town Planning of Number 1 Kilmacud Road Upper Dundrum, Dublin against the decision made on the 17th day of January 2024, by Dublin City Council to refuse permission for the proposed development.

Proposed Development: The development will consist of: the provision of a contemporary residential extension (296.5 square metres) to the existing rear return (178.2 square metres at basement and ground floor levels) providing three number one bedroom apartments and a plant room, increasing the height from single storey with an extended 2.9 metre high parapet wall above onto St. Andrew's Lane to five number storeys; modifications to the northern elevations of numbers 25 and 27 Exchequer Street comprising the removal of existing windows and provision of a link between the existing office floor area and the lobby of the proposed residential extension and associated works; removal of plant on the flat roof at first floor level screened by a pre-existing 2.9 metre wall/parapet; provision of a new staircore to the rear/west from first floor level to third floor level; the provision of residential balconies from first to third floor levels facing north and east; the provision of a sedum roof; and all associated works, at 19-27 Exchequer Street, Dublin.


Decision

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


Reasons and Considerations

Having regard to the provision of a number of windows and balconies serving habitable rooms in the proposed apartments being positioned right on the shared northern and western site boundaries, and also noting that the proposed bedrooms are wholly reliant on light and aspect via proposed windows in the western and northern shared boundaries, and the primary source of light and aspect serving the living/dining rooms is via proposed windows in the northern shared boundary, it is considered that the proposed development will adversely impact upon, in particular, the development potential of the underutilised, zoned and serviced city centre lands adjoining to the north. Such an adverse impact on the adjoining lands to the north will militate against urban consolidation and densification and would thus conflict with the land-use zoning Objective Z5 which includes the consolidation of the city centre area and conflict with Policy QHSN6 'Urban Consolidation' and Policy QHSN10 'Urban Density' of the Dublin City Development Plan 2022-2028. 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 for the proposed development, the Board considered that the placing of windows and balconies serving habitable rooms on the shared site boundaries would significantly and adversely impact upon the redevelopment potential of, in particular, the surface car park to the north. The Board's primary concern relates to the negative impact on the redevelopment potential of the underutilised site to the north, rather than the overlooking of that site.



Tom Rabbette
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.



Dated this 25th day of April 2025.