

An
Bord
Pleanála

Board Order ABP-319090-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 4841/23

Appeal by Eamonn Daly care of Diarmuid Ó Gráda of 16 Louvain, Roebuck Road, Dublin against the decision made on the 25th day of January, 2024 by Dublin City Council to grant subject to conditions a permission to Ardoyne House Management Limited care of Gravis Planning of 41 Baggot Street Lower, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Provision of a new switch room with ancillary store and a new sprinkler/tank room, both adjoining the existing entrance lobby, replacement of a balustrade on the lobby roof, along with new landscaping and surface water drainage infrastructure, all at Ardoyne House, Pembroke Park, Dublin.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the nature, scale, location and design of the extensions proposed, and also having regard to the provisions of the Dublin City Development Plan 2022-2028, including the land use zoning objective pertaining to the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely impact on the residential amenities of the existing apartments in Ardoyne House, would not adversely impact on the symmetry of the front façade of Ardoyne House nor adversely impact upon the visual amenity of the wider area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board agreed that the existing apartment building, Ardoyne House, is of architectural merit. In that regard, the Board agreed with the Inspector that the existing structure has a strong elevational treatment and that the original design is worthy of retention. However, in disagreeing with the Inspector that the development should be refused permission, the Board noted that the original building is not on the Record of Protected Structures, nor is it within a designated Architectural Conservation Area in the Dublin City Development Plan 2022-2028. Furthermore, the Board considered that the design of the proposed extensions has had due regard to the elevational composition of the existing building and has sought to integrate the proposed development with the existing in a manner that does not adversely impact on the overall design merit of Ardoyne House. The Board did not agree with the Inspector that the proposed extensions were unsympathetic, inappropriate or inharmonious. Furthermore, the Board considered that the proposed works are required to maintain and improve the existing residential amenity and safety in the structure, and the works will safeguard the continued residential use of Ardoyne House into the future. (The Board did not consider that the residential amenities of apartment number 1, or any other apartment, were being adversely impacted. The Board noted that the nearest apartments at ground level to the extensions are triple aspect and all

apartments would have continued access to adequate levels of daylight and sunlight. While some vistas from secondary rooms in two apartments will be impacted, the Board had regard to the fact that these vistas were not protected in the Dublin City Development Plan 2022-2028 and the vistas from the primary rooms in these apartments remained unaffected by the proposed development. The Board noted that the Inspector did not recommend refusal on the grounds of potential impact on existing residential amenities).

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The finishes of the proposed development shall be consistent with and harmonise with the existing finishes to Ardoyne House.


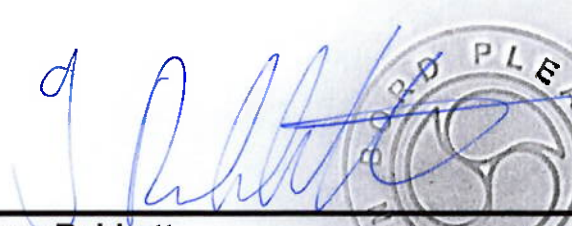
Reason: In the interest of visual amenity.

3. The disposal of surface water shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of proper planning, sustainable development and public health.

4. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.



Tom Rabbette

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board**

Dated this 27th day of Jan 2025.