



Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 4221/24

APPEAL by Red Rock Pleasants Street Limited care of John Spain Associates of 39 Fitzwilliam Place, Dublin against the decision made on the 23rd day of October, 2024 by Dublin City Council to refuse permission.

Proposed Development: Amendments to the previously permitted office scheme (Dublin City Council Planning Register Reference 3457/22 and ABP Reference 314353-22) consisting of the construction of an additional set-back storey at fifth floor level (circa 453 square metres Gross Floor Area) to comprise office floorspace (circa 351 square metres), and ancillary areas including W/C facilities (circa 28 square metres) and circulation space. The proposal will increase the height of the overall office scheme to six number storeys over-basement (circa 23.8 metres) and the permitted floor area from 3,518 square metres to 3,971 square metres on lands (circa 0.0745 hectares) at 49-51 Pleasants Street, Pleasants House and 5 Pleasants Lane, Dublin and is bounded by Pleasants Street to the south, Pleasants Lane to the east, O'Neill's Buildings (a laneway) to the west and by the 'Camden Hotel' to the north.

Decision

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

Reasons and Considerations

The Board considered that the proposed revisions to the design of the permitted structure results in a design that does not transition in scale appropriately in this established area, the proposed increase in height results in a building, the form of which appears oversized and monolithic at this location, the development, therefore, does not accord with the parameters set out in Dublin City Development Plan 2022-2028, Appendix 3, Table 3, Performance Criteria in Assessing Proposals for Enhanced Height, Density and Scale. The Board noted the permitted development on this site (Reference ABP-314353-22, planning authority reference number 3457/22), has a plot ratio greater than 3 (the indicative plot ratio for this area in the Development Plan is 2.5 to 3), the design of which was revised during the application process setting back the upper floor resulting in a structure that complemented the setting. The proposed increase in floor area, the subject of this application, by an additional set back floor, further increases the plot ratio, does not result in an appropriate transition in scale and consequently does not respect and complement the wider area. The proposed revision to the permitted development would, therefore, not be in accordance with the requirement of the Dublin City Development Plan, Appendix 3.

Having regard to Policy BHA9 in the Dublin City Development Plan (2022-2028) which seeks 'to protect the special interest and character of all Dublin's Conservation Areas', it is considered that the proposed additional storey to the permitted development would result in the building appearing overly dominant when viewed from the surrounding area, in particular Pleasants Street and Synge Street which are a residential conservation area with zoning objective Z2 – 'to protect and/or improve the amenities of residential conservation areas'. The proposed additional floor negates the benefit of the permitted setback of the upper floor resulting in a dominant structure that does not integrate into the wider setting. The proposed amendments to the permitted development would, therefore, not accord with policy BHA9, Conservation Areas, in the Dublin City Development Plan 2022-2028.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered the totality of the file.

The Board disagreed with the Inspector and shared the opinion of the planning authority that the proposal would adversely impact the setting and character of the residential conservation area and, on the visual amenities of the area. The Board did not concur with the Inspector's assessment of the positive contribution the increased height would have at street level and, as part of the wider cityscape. The verified views submitted with the application, particularly view 6,7,8, 9,13 and 14, assisted the Board to arrive at the decision that the amendments to the permitted development resulted in a building that is oversized and monolithic resulting in a structure that would dominate rather than complement its setting and would detract from the sense of place and character of the area, therefore contravening both Appendix 3 of Dublin City Development Plan due to the scale of the building now proposed and Policy BHA9 due to the impact on the Conservation Area that is in close proximity to the site.



Mary Henchy

Member of An Bord Pleanála

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

Dated this 30th day of May 2025