

An
Coimisiún
Pleanála

Commission Order

ABP-321430-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 4301/24

Appeal by Ann Kavanagh care of RK Consulting of Baldrumman House, Baldrumman, Lusk, County Dublin against the decision made on the 15th day of November, 2024 by Dublin City Council to refuse permission.

Proposed Development: Reinstatement of the Dutch Billy elevation acknowledging its historical past. Reinstatement of part two-storey above existing building via the raising of existing mid-terrace flat roofed two-storey over raised basement building to five-storey over raised basement building with a new flat roof. The fabric of the existing two-storey house which is circa 300 years old and consists of original brick walls with sand and cement render is to be retained and the new external and internal walls above the first floor are to be a mixture of new solid and non-solid construction. The terrace to the west of number 128 consists of early 20th century red brick two-storey houses with pitched slated roofs and uPVC windows and doors, while the housing to the east consists of deck access two-storey housing with a concrete tiled pitched roof, developed, owned and managed by Dublin City Council for housing for older people. The existing solid party wall between number 126 and number 128, wholly located within the red line of the applicant site, is to be retained and raised to the fifth-floor parapet level of the raised building. The new building will have the following accommodation: At ground floor, an entrance hall accessing a lift

and stair core located to the existing rear return of the building, providing vertical circulation for the new raised building with emergency and other ingress and egress to public domain at Robinsons Court, as well as an office unit. At first floor level two short-term let residential units served via the new rear lift/stair core. At second floor level a new long-term let two-bedroom residential unit served by the lift/stair core. At third floor level a similar new long term-let one-bedroom residential unit served by the lift/stair core. At fourth floor level a new long-term let one-bedroom residential penthouse unit with south-facing terrace private open space served by the lift/stair core. Addition of balconies to rear wall of all long-term let residential units.

Reinstatement of basement level for storage, plant and services use. At roof level there is a zinc parapet and sedum covered flat roof. Windows and doors to be thermally broken aluminium framed units to selected colour with triple glazing.

Currently external walls are rendered and painted, new walls to be similarly rendered and painted to selected colours. The walls to the sides and rear, including cills, are to be wrapped with insulation and rendered to match the existing. All existing cut granite elements, including cills, parapet stones and granite entrance steps, are to be retained, protected, and preserved. Existing granite cills to have paint removed and exposed. Cills to new windows to be matching exposed granite. Minor alterations, including moving of existing rear door and creation of new plant service only access doors along rear site boundary. The proposed floor areas are as follows: basement: 47.9 square metres; ground floor: 75 square metres; first floor: 76.3 square metres; second floor: 77.5 square metres; third floor: 77.5 square metres; penthouse: 65 square metres. The office and residential units have south-facing views over Weaver Park across the road from the site. All units enjoy north/south dual aspect. Provision for all associated equipment and services and internal and external refurbishment and site works, all at 128 Cork Street, The Liberties, Dublin.

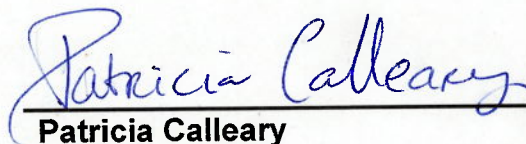
Decision

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

Reasons and Considerations

1. Having regard to Z1 zoning objective of the area, the provisions of the Dublin City Development Plan 2022-2028, and the design, height and scale of the proposed development, it is considered that the proposed development would have an overbearing and visually dominant effect on adjoining sites and would seriously injure the residential amenities of the area. Furthermore, the proposed development, including the Dutch Billy elevation which has potential to appear as pastiche, would fail to integrate with the streetscape along this stretch of Cork Street and, as a result, would have an adverse impact on the character of the area. The proposed development would, therefore, be contrary to Section 15.5.3 of the development plan which seeks to ensure that alterations and extensions will be sensitively designed and detailed to respect the character of the existing building, its context, and the amenity of adjoining occupiers. The proposed development would, therefore, of itself and by the precedent it would set, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the proposed inclusion of two-short-term letting accommodation units, it is considered that the proposed development would be contrary to Section 15.14.3 of the Dublin City Development Plan 2022-2028 which states that there is a presumption against the provision of dedicated short term tourist rental accommodation in the city due to the impact on the availability of housing stock. The proposed development, if permitted, of itself and by the precedent it would set for similar type development would be contrary to the provisions of the development plan, and would, therefore, be contrary to the proper planning and sustainable development of the area.
3. It is considered that, by reason of its inadequate internal floor area and storage provision for the proposed two-bedroom apartment, and the quality and quantum of community open space, the proposed development would conflict with Section 15.9 (Apartment Standards) of the Dublin City Development Plan 2022-2028, and with the minimum standards recommended in the Sustainable

Urban Housing: Design Standards for New Apartments: Guidelines for Planning Authorities published by the Department of Housing, Local Government and Heritage in 2023, would provide a low level of residential amenity for future occupants and would constitute excessive development on this restricted site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.


Patricia Calleary

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 07 day of July 2025.