An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Dublin City

Planning Register Reference Number: 3163/16

An Bord Pleanála Reference Number: 29N.LV.3320

APPLICATION FOR LEAVE TO APPEAL against the decision of the planning authority by Red Mill Apartments Management Limited care of Brock McClure, Planning and Development Consultants, of 63 York Road, Dún Laoghaire, County Dublin, having an interest in land adjoining the land in respect of which Dublin City Council decided on the 2nd day of December, 2016 to grant subject to conditions a permission to Co-Operative Housing Ireland Society Limited care of Deaton Lysaght Architects of 44 South Richmond Street, Dublin.

PROPOSED DEVELOPMENT: Consisting of the removal of all existing buildings on the site and the construction of a commercial unit and 33 apartments in two buildings; block A facing onto North Brunswick Street is a six-storey building, including a recessed penthouse floor, and comprises 17 apartments; and Block B facing onto North King Street is a five-storey building, including a recessed penthouse floor, and comprises 16 apartments and one commercial unit. The overall development comprises four number three-bedroomed units, 18 number two-bedroomed units, 11 number one-bedroomed units, all with balconies, one ground-floor commercial unit, bin store, internal landscaped courtyard, photovoltaic solar panels on support grids on roofs, and all associated site works at 84 North King Street and between George's Court and Redmill Apartments on North Brunswick Street, Dublin. The site adjoins 85 North King Street (A Protected Structure).

DECISION

REFUSE leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the submission received in connection with the application for leave to appeal, the documentation on file, and the conditions set out in the planning authority's decision, it is considered that -

- while it has been shown that the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of conditions 1 and 9 imposed by the planning authority to which the grant is subject,
- (ii) it has not been shown that the imposition of these conditions will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.

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

Dated this day of 2017.