



An
Bord
Pleanála

Inspector's Report

ABP-305661-19

Development	Demolish industrial unit and construct a seven-storey 28 apartment building and all associated works.
Location	Corner of Sandwith Street and Boyne Street, Dublin 2.
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	3080/19
Applicant(s)	Goldrun Properties Ltd.
Type of Application	Permission.
Planning Authority Decision	Grant Permission subject to conditions
Type of Appeal	Third Party
Appellant(s)	David Hughes & Carmel McCormack.
Observer(s)	None.
Date of Site Inspection	9 th January 2020
Inspector	Bríd Maxwell

1.0 Site Location and Description

- 1.1. The appeal site which has a stated area of 562m² comprises two single storey industrial units and yard area located at the junction of Boyne Street and Sandwith Street Upper in Dublin 2. The site is on the south eastern periphery of Dublin City Centre approximately 1km to the east of College Green and 1km south-east of O'Connell Bridge and 550m south of the River Liffey. Walls to the Sandwith Street elevation are finished in brick with a render finish to Boyne Street. Roof is a flat felt type construction with corrugated sheeting to rear. Fenestration comprises an ad hoc mixture of sizes in a horizontal arrangement. The site is visibly unkempt with extensive graffiti.
- 1.2. The site is bounded to the north by a two-storey disused former post office storage facility building, to the east by overgrown site enclosed within a high masonry wall with steel sheeted gates and corrugated steel screen to doorway and timber screen to window. To the east of these are a row of two storey Victorian Dwellings and rear gardens which front onto Erne Street Upper. The elevated railway tracks to the immediate east of Pearse Street Station are to the north of the former post office building. Pay and display parking is located on the streets fronting the site. The KBC bank which includes replica of the former Archer's Garage incorporating art deco features occupies the next block to the south of the appeal site. To the west of the site opposite on Sandwith Street Upper and are three storey residential properties with red brick at ground and first floor and dash overhead.
- 1.3. The wider area in the vicinity of the site is characterised by small scale traditional 1 and 2 storey urban cottage type development dating from the late 19th century, later public housing from the 1920s and modern inner-city flat complexes with more recent office development predominantly 5 to 7 storeys in height.

2.0 Proposed Development

- 2.1. The application as set out in public notices involves permission to demolish the existing 397sq.m single storey industrial building and construction of 28 apartments in a seven storey apartment building containing 22 no two bedroom units and 6 no

one bedroom units with private balconies facing west and south over ground floor containing entrance, bike storage, refuse storage, private garden and commercial office / gym, all with associated works.

2.2. The proposal is set out in detail within the drawings and documents which accompany the application including :

- Urban Visual Impact Assessment – SSA Architects.
- Design Statement and Qualitative Assessment - SSA Architects.
- Appropriate Assessment Screening Report, McCutcheon Halley.
- Planning Statement, McCutcheon Halley.
- Outline Method statement for demolition of existing building CS Consulting Group.
- Engineering Services Report, CS Consulting Group
- Mobility Management Plan framework. CS Consulting Group
- Site Specific Flood Risk Assessment, CS Consulting Group
- Waste Management Plan, CS Consulting Group

- Daylight, Sunlight and Overshadowing Assessment, Metec Consulting Engineers.

2.3 The proposal provides for a stepped arrangement down to 6 storeys for the eastern part of the site to Boyne Street. The design is a contemporary structure with extensive glazing on the west, south and northern setback sides. The main entrance to the predominant residential element of the building is along Sandwith Street with office /commercial entrance from Boyne Street. Access to bike parking and bin stores is from the eastern extremity of the Boyne Street site frontage. The apartments overlook the street with no direct windows on the northern side of the building. Private open space is provided in the form of balconies. Ground floor units are extensively glazed. A light well is provided to the public circulation areas within

the building. Bike parking and bin store areas are provided to the east of the building with an exterior planted space on the northern side of the building.

3.0 Planning Authority Decision

3.1. Decision

3.1.1 By order dated 18th September 2019, Dublin City Council issued notification of its decision to grant permission and 18 conditions were attached including.

- Condition 2. Contribution of €255,361.00 in accordance with the Section 48 Development Contribution Scheme.
- Condition 3. Contribution of €60,484.00 in respect of Luas Cross City Scheme.
- Condition 10 Archaeological Assessment.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.1.1 Initial Planner's report considers the design and height to be appropriate. Residential standards are considered acceptable. Concerns are expressed regarding daylight, sunlight and overshadowing particularly as sunlight and daylight studies appear to disregard windows to 33, 34 and 35 Upper Erne Street. Increased quantity of bicycle parking required and consultation regarding DART underground interconnector. Additional information was requested to address these matters.

3.2.1.1 Final Report considers the proposal to be acceptable and recommends permission subject to conditions.

3.2.2. Other Technical Reports

- 3.2.2.1 City Archaeologist's Report notes the location adjacent to the zone of archaeological constraint for recorded monument DU018-020 Dublin City. Archaeological impact assessment including test trenching is required.
- 3.2.2.2 Engineering Department Drainage Division Report indicates no objection subject to compliance with Greater Dublin Regional Code of Practice for drainage works. SUDS measures to be incorporated.
- 3.2.2.3 Roads Streets and Traffic Division. Having regard to the city centre location of the site and access to public transport facilities, the non-provision of car parking is acceptable. Additional bicycle parking should be provided. Applicant to consult with DART underground office to confirm that the proposal would not preclude future delivery of DART underground interconnector. Final report indicates no objection subject to conditions.

3.3. **Prescribed Bodies**

- 3.3.1 Transport Infrastructure Ireland TII Development falls within area for adopted S49 Supplementary Development Contribution scheme Luas Red Line docklands extension.
- 3.3.2 Iarnród Éireann Infrastructure height restricted bridges under the railway at Sandwith Street and Upper Erne Street to be addressed in traffic management plan. Note normal vibrations and noise from railway operations and maintenance. Noise assessment to be addressed.

3.4. **Third Party Observations**

- 3.4.1 Submission from the appellants David Hughes Architect and Carmel McCormack who reside at 35 Upper Erne Street, Dublin 2 is summarised as follows.
- Report on daylighting asserts that there are no windows facing west in 33, 34 and 35. Kitchen window on ground floor of no 35 will be significantly affected in terms of loss of visible skydome and overshadowing. The proposed development will provide an obstruction angle in excess of 45 degrees and will severely affect the amount of daylight entering the room.

- Negative impact on outdoor amenity space. A full L shaped garden surrounds the two storey return to no 35.
- Request an updated sunlight and overshadowing analysis of the west facing kitchen windows. Ground floor of the kitchen is 0.3m below the level of the yard therefore the reference plan is in effect 0.6m above yard level. This corresponds with the kitchen counter levels.
- Overlooking - Eastern side of the recessed balconies should be enclosed with an opaque wall.
- Nature of the use - project splitting. Lack of clarity – Reference is made to office/gym whereas plans show retail/office.
- No car parking permits should be issued for the apartments.
- Overall design and visual appearance of the development is at the lower end of the scale. Use of render will deteriorate over the years and give rise to a poor visual appearance. A high-quality light-coloured stone or reconstituted stone or similar is recommended.
- Contiguous elevations are not shown in relation to appellant's dwelling. 35 Upper Erne Street.
- No demonstration of compliance with nZeb requirements.
- Noise and dust mitigation. Site operating times should be restricted to 9-5. Noise and dust monitoring.
- Bike and bin access should be off Sandwith Street.
- Concern regarding visual clutter on balconies.

4.0 Planning History

4.1 There is no planning history on the appeal site. A number of applications in relation to adjoining properties include

NA005 Railway Order with respect to DART underground Railway Line between Inchicore and East Wall.

302081-18 (VS/0131) Site to rear of 29035 Erne Street Upper, Vacant Site Levy Notice Confirmed. 14/11/2018.

300446 4177/16 Permission refused for demolition of former post office, garage and construction of a 4-7 storey over basement, office building and associated site works. Reason for refusal was as follows:

“It is considered that the proposed development would contravene Policy MT4 of the current Dublin City Development Plan which seeks to promote to facilitate the provision of Metro, all heavy elements of the Dart expansion programme including Dart Underground (rail interconnector) in order to achieve strategic transport objectives. The development as proposed is therefore considered to be premature pending the agreement of the requirements of Dart Underground and would, therefore, be contrary to the proper planning and sustainable development of the area.”

3288/02 Eircom Property Boyne Street. Permission for 113sq.m single storey telephone exchange and site works.

3317/105 Permission for illuminated sign at high level on Erne Street.

5314/07 35 Upper Erne Street.

5.0 Policy Context

5.1.1 Project Ireland 2040 – National Planning Framework

5.1.1.1 The National Planning Framework Section 2.6 highlights the importance of securing compact and sustainable growth. National Policy Objective 3a seeks to deliver at

least 40% of all new homes nationally within the built-up footprint of existing settlements. National Policy Objective 3(b) seeks to deliver at least half of all new homes that are targeted in the five cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford within their existing built up footprints.

Objective 13 states that in urban areas, planning and related standards including in particular building height and car parking, will be based on performance criteria that seek to achieve well designed high-qualified outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.

Chapter, No. 6, entitled 'People Homes and Communities' - Objective 27 seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages. Objective 33 seeks to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location. Objective 35 seeks to increase densities in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

5.2 S28 Ministerial Guidelines.

- Sustainable Residential Development in Urban Areas (Cities, Towns and Villages) Guidelines for Planning Authorities. Department of Environment, Heritage and Local Government, May 2009.
- Urban Design Manual A best practice Guide. May 2009.
- Design Manual for Urban Roads and Streets, DMURS
- The Planning System and Flood Risk Management (including the associated 'Technical Appendices') Dept Environment Heritage and Local Government November 2009.

- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities – Department of Housing Planning and Local Government March 2018
- Urban Development and Building Height Guidelines, Department of Housing Planning and Local Government, December 2018

5.3 Development Plan

5.3.1 The Dublin City Development Plan 2016-2022 refers.

5.3.1.1 The site is zoned Z4 District Centres. The objective is “To provide for and improve mixed services facilities”.

A residential conservation area Z2 is located to the east. The railway bridges on Erne Street and Sandwith Street Upper are protected structures - RPS Ref 880 and RPS Ref 889 respectively.

Section 14.8.4 of the City Development Plan states that the strategy for Z4 lands is to provide a dynamic mix of uses that interact with each other.

The indicative plot ratio on lands zoned Z4 is 2.0.

Other relevant policies and standards include:

Section 16.2.1 Design Principles.

Section 16.2.2.2 Infill Development. It is particularly important that proposed development respects and enhances its context and is well integrated with its surroundings, ensuring a more coherent cityscape.

Section 16.10.10 Infill Housing In general, infill housing should comply with all relevant development plan standards for residential development; however, in certain limited circumstances, the planning authority may relax the normal planning standards in the interest of ensuring that vacant, derelict and under-utilised land in the inner and outer city is developed.

Chapter 5 Quality Housing QH8 “To promote the sustainable development of vacant or underutilised sites and to favourably consider higher density proposal which respect the design of the surrounding development and character of the area.

14.7 Transitional Zone Areas.

“In dealing with development proposals in contiguous transitional zone areas it is necessary to avoid developments that would be detrimental to the amenities of the more environmentally sensitive zones.”

5.4 Natural Heritage Designations

There are four designated sites within 5km of the appeal site as follows:

The South Dublin Bay SAC 2.1km

South Dublin Bay & River Tolka Estuary SPA 2.1km

North Dublin Bay SAC 4.7km

North bull Island SPA 4.7km

5.5 EIA Screening

While the proposed development falls within a class of development for which EIA may be required, there is no real likelihood of significant effects on the environment based on the nature, size and location of the proposed development and therefore no EIA is required in this instance.

6 The Appeal

6.1 Grounds of Appeal

6.1.1 The appeal is submitted by David Hughes, Architect and Carmel McCormack, 35 Upper Erne Street Dublin 2. Grounds of appeal are summarised as follows:

- Note the importance of protection of city centre quality of life and established residential amenity.

- Concern that as residents of this location for 26 years the area is under siege in terms of development proposals
- Protection of the existing context v erosion of amenity.
- Process of attrition in relation to the appeal site and adjoining.
- Density being proposed in terms of people per sq. km is equivalent to 124,784 people per sq.m. Manila has density of 41,515 people per sq.km. Paris 21,498 per sq.km. Up to 100 people could occupy this development.
- Request that the Board consider access to daylight, sunlight and skydome as front and centre of any issues.
- Stepped profile as presented in Fig 16 of the appeal submission should be followed.
- Notably the right to reply to additional information was denied which is unjust and could have been a tactic to sidestep sensitive issues.
- Department's standards with regard to heights indicates that new development has to respect the rights and amenities of local communities and the receiving environment.
- Analysis is deficient in terms of contradiction of previous studies in terms of assessment of impact. Chosen windows in overshadowing assessment more favourable thereby demonstrating a bias therefore the report cannot be relied upon as a fair and accurate assessment.
- Angle of obstruction increases from 22.8° to 44.3° an increase of 21.5°. Where BRE guidelines state that at 45° it is very difficult to provide adequate daylight. More than 1/3rd of the floor area is lost to the new no sky line.
- Planner's report was not available for a week after decision date. In any case planner's second report showed little consideration of the further information. No apparent consideration of the requirements for transitional areas and sensitive receiving environments.
- Excessive Plot ratio of 6.4 where standard for Z4 is 2.0.
- Proposal does not in any way respect the amenities and character of the area.
- Proposal would clearly seriously injure the amenities of property in the vicinity and neighbouring residential amenity.

- In light of the cost and time constraints involved in terms of multiple repeat applications and appeals request that the Board invite the developer to submit a revised proposal which adopts a stepped profile to maintain the angle of obstruction enjoyed by no 35 Erne Street as set out in Figure 16 of appeal submission. No line of sight from balcony ends to rear garden.

6.2 Applicant Response

6.2.1 There was no response from the first party to the grounds of appeal.

6.3 Planning Authority Response

6.3.1 The Planning Authority did not respond to the grounds of appeal.

6.4 Observations

6.4.1 None

7 Assessment

7.1 Having visited the site, considered the grounds of appeal and all submissions I consider that the key issues for consideration by the Board in this appeal can be addressed under the following broad headings:

- Principle of Development
- Quality of Design, height & layout & impact on the amenities of the area
- Flooding, traffic servicing and other matters
- Appropriate Assessment

7.1.2 As regards matters raised within the appeal in respect of the procedures adopted by the Planning Authority regarding the facilitation of opportunities to make submissions on further information, the availability of documents to public view, such matters of beyond the remit of the Board in terms of assessment of the appeal and any review of such administrative decisions are the preserve of the Courts.

7.2 Principle of Development

7.2.1.1 The site is located on a site zoned Z4 District Centres. The stated objective is “*To provide for and improve mixed-services facilities*”. District centres, which include urban villages, provide a far higher level of services than neighbourhood centres, They have outlets of greater size selling goods or providing services of a higher order, and their catchment area extends spatially to a far greater area than that of neighbourhood centres....

To maintain their role as district centres, new development should enhance their attractiveness and safety for pedestrians and a diversity of uses should be promoted to maintain their vitality throughout the day and evening. The district centre can provide a focal point for the delivery of integrated services and the designated key district centres have, or will have in the future, the capacity to deliver on a range of requirements, the most important of which are:

- An increased density of development
- A viable retail and commercial core
- A comprehensive range of high-quality community and social services
- A distinctive spatial identity with a high-quality physical environment

Higher densities will be permitted in district centres, particularly where they are well served by public transport. Residential and commercial uses are permissible uses within the Z4 zoning.

7.2.1.2 The National Planning Framework advocates more compact growth utilising existing infrastructure, improving the visibility of public transport and services and creating an urban environment which facilitates more healthy and sustainable trip patterns such as cycling and walking. The site is centrally located within easy walking distance of high-quality public transport within an existing fully serviced area. The proposal seeks to replace a derelict building on the site and provide for mixed residential commercial development in order to expedite the more efficient use of currently underutilised serviced land. Given the central location of the site the site would be considered to be an appropriate location to facilitate higher density development. I am of the opinion that given its zoning, the delivery of residential and commercial development on this underutilised site is generally consistent with the policies of the Development Plan, the

NPF and Rebuilding Ireland – The Government’s Action Plan on Housing and Homelessness in this regard. It is therefore appropriate to assess the merits of the proposal in its detail.

7.3 Design, height, layout and impact on the amenities of the area.

7.3.1 As outlined above the Policy context envisions that cities adopt a more compact urban form and place and emphasis on the need for increased building height on infill and brownfield sites. However, any such development should respect the surrounding development and character of the area and it is essential that established residential communities are protected from overdevelopment. As regards the height and scale of the proposed development the third-party appellant expresses the view that the density, height and scale is inappropriate in the context, particularly of the surrounding established residential development. It is contended that the height, scale and massing will have an overbearing impact and significantly overshadow and overlook existing the two-storey period residential dwellings fronting onto Erne Street Upper.

7.3.2 The overall height is proposed at 22.1m which would be considered appropriate in this central location. Whilst the first party design statement refers to the stepping of the building to Boyne Street the third-party appellant considers that the stepping profile is entirely inadequate. Reference is made to the Development Plan requirement that in dealing with development proposals in contiguous transitional zone areas it is necessary to avoid developments that would be detrimental to the amenities of the more environmentally sensitive zones

7.3.3 In considering the measures to evaluate the question of overdevelopment, I note that the proposal equates to a plot ratio of 6.4 where the indicative standard for Z4 lands is 2.0. Site coverage is 90% where the indicative level on Z4 lands is 80%. Whilst the degree of exceedance would prompt further inquiry, I note that the Development Plan provides for increased plot ratio and higher site coverage in particular circumstances such as:

- adjoining major public transport termini and corridors, where an appropriate mix of residential and commercial uses is proposed,
- to facilitate comprehensive redevelopment of areas in need of urban renewal
- to maintain existing streetscape profiles
- where a site already has the benefit of a higher site coverage plot ratio.

The argument could be made for such a case in respect of the appeal site, having regard to its location and the zoning objectives pertaining. I note that plot ratio and site coverage are somewhat crude instruments in terms of measuring density and the avoidance of the adverse effects of overdevelopment thus the specific nature and qualitative elements of the proposal need to be considered in terms of the assessment of the appropriateness of the development proposed to its context. In assessing the wider considerations, it is appropriate to rely on the wider qualitative factors defining built form including height, design, open amenity space provision and standards of public realm.

7.3.4 In considering the design of the proposal, I would tend to concur with the third-party appellant that the use of selected coloured stone or reconstituted stone rather than a render finish might be more sustainable in the longer term. Whilst the design adopts a contemporary form, I note a lack of clarity with regard to the ground floor use and finish and in this regard the proposal presents unremarkably to the public realm. I consider that the layout does little in terms of defining spaces and does not incorporate sufficient variation or relief to facades to ensure legibility and distinctiveness. I note the unrelieved proposed northern elevation and would be concerned that a coordinated scheme or joint scheme to maximise the potential of the appeal site and adjoining site to the north is required to ensure a coherent development within the block. I am concerned that the scale and nature of the proposal would affect the future development potential of the adjoining site. In light of these concerns I am of the view that the design as currently configured fails to respond appropriately to the site context.

7.3.5 As regards the quality of residential development proposed, I note that the proposal provides the required minimum standards and would provide for a reasonable standard of amenity. As regards the mix the configuration is 22 no 2 bed apartments and 6 no 1 bed apartments. Six of the units are single aspect.

7.3.6 As regards impact on established residential amenity, the third party appellant requests that the Board consider in detail impacts on daylight, sunlight and skydome. The initial Daylight and Sunlight Assessment by Metec Consulting Engineers discounted from the assessment the windows to the rear elevations of 33, 34 and 35 Upper Erne Street and failed to address amenity space. This was queried by Dublin City Council in the request for additional information and the second Daylight Sunlight and Overshadowing report, notes in relation to the rear gardens of 33, 34 and 35 Erne Street Upper, that as they do not currently achieve BRE guidelines for sunlight the proposed development does not reduce sunlight beyond BRE Guidelines. In relation to the assessment of light to the dwellings and the assessment of annual probable sunlight hours, it is outlined that the proposal is in accordance with BRE Guidelines. The third-party appellant is highly critical of the assessment querying the motive for the initial omission of the most affected properties in the first place and the subsequent level of detail and assessment quality. The third party provides a study of the “No sky line” in relation to No 35 whereby 1/3 of the kitchen floor area is affected post proposed development and notes the significant increase in angle of obstruction from 22.8° to 44.3°. This is viewed as a significant change where BRE 209 Site Layout Planning for Daylight and Sunlight Guidelines suggest that obstruction angle of 45 ° to 65 ° degrees will indicate a situation arising where it will be difficult to provide adequate daylight. The First Party did not address the grounds of appeal and in my view the level of detail in reports provided on behalf of the first party do not provide clear evidence that the proposed development will not give rise to significant negative impacts on established residential amenity in terms of overshadowing.

7.3.7 As regards the visual impact I am inclined to concur with the third-party appellant that the proposal as currently configured would detract from and dominate views from the residential properties fronting onto Erne Street. The proposal would result in significant negative impact in terms of overbearing impact. This is viewed also in the context of the uncertainty with regard to future development on the intervening site, thus emphasising the importance of a co-ordinated approach. I note the visual impact assessment provided by SSA Architects in particular the first images presenting views from Boyne Street East and I consider that the images demonstrate

that the design by reason of its bulk scale and massing, when viewed from the established dwellings on Erne Street would be excessive and overbearing. On this basis I consider that a refusal of permission is warranted.

7.4 Flooding, Servicing and other Matters.

- 7.4.1 As regards flooding, I note the site-specific flood risk assessment compiled by CS Consulting Group. It notes the location of the site approximately 540m from the River Liffey, and within Flood Zone B therefore therefore a Justification Test is warranted. It is noted that the site is zoned for development in the Development Plan and strategic flood risk assessment has been carried out. As regards potential to increase flood risk elsewhere the proposed use of attenuation systems sized for a 1 in 100-year storm event and increased by 20% for climate change predictions will restrict storm water discharge rates during extreme storm events. The volume will be reduced to greenfield levels will be reduced to greenfield levels. As regards measures to minimise flood risk the proposal includes use of demountable flood barrier at the site entrances off Boyne Street and Sandwith Street Upper. On the measures to ensure management of residual risk management can ensure an orderly evacuation of the site.
- 7.4.2 As regards site servicing no specific issues are raised. The site does not provide for any onsite parking which is appropriate in view of the site's central and accessible location. Mobility management measures are outlined within the Mobility Management Framework. Cycle parking provision was increased in response to the Councils request for additional information to a total of 52 cycle spaces.
- 7.4.3 As regards the potential impact on the DART Underground I note that the letter submitted from Iarnród Éireann Infrastructure, notes that Iarnród Éireann cannot, currently confirm that the DART underground route will remain aligned as per alignment defined in the DART Underground Railway Order, therefore Iarnród Éireann has agreed with the National Transport Authority that the DART Underground Corridor defined in the Railway Order will no longer be protected.

7.5 Appropriate Assessment

7.5.1 The application includes an appropriate assessment screening report compiled by McCutcheon Halley Chartered Planning Consultants. The report notes the following Natura 2000 sites within 5km.

- The South Dublin Bay SAC 2.1km.
- South Dublin Bay & River Tolka Estuary SPA 2.1km
- North Dublin ay SAC 4.7km
- North bull Island SPA 4.7km

7.5.2 As regards potential effects, the screening report notes that none of the habitats or species listed as qualifying features in any European site will be affected by any element of the proposed development therefore significant effects on the European sites can be screened out. I consider that having regard to the nature and scale of the proposed development and/or nature of the receiving environment and/or proximity to the nearest European site no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

7.6 Conclusion and Recommendation

7.6.1 Further to the above planning assessment of matters pertaining to this appeal, including consideration of the submissions of each party to the appeal and the site inspection, I conclude that the proposed development would be overbearing in terms of its visual impact and impact on established residential amenity and would therefore be contrary to the proper planning and sustainable development of the area. Accordingly, I recommend that permission be refused for the proposed development for the following reasons and considerations.

Reasons and Considerations

Having regard to the design, scale, bulk and height of the development, it is considered that the proposed scheme would be overbearing when viewed from adjacent residential properties on Erne Street Upper and would seriously injure the

residential amenities of established properties through overbearing visual impact. The proposed development would be contrary the National Planning Framework and Ministerial Guidelines, which promote innovative and qualitative design solutions, and would seriously injure the amenities of property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Bríd Maxwell
Planning Inspector

27th March 2020