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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 4353/19**

**APPEAL** by Desmond Connolly care of CDP Architecture of 4 The Mall, Main Street, Lucan Village, County Dublin against the decision made on the 7<sup>th</sup> day of January, 2020 by Dublin City Council to refuse permission.

**Proposed Development:** Demolition of the existing warehouse structure and construction of a new 40 number bedroom student accommodation development comprising 33 number single bedrooms, four number twin bedrooms and three number disabled bedrooms, across ground to fourth floor, all with associated communal kitchens/living/dining areas, mechanical plant rooms, laundry rooms, with access from Richmond Avenue. All with associated landscaping, cycle parking, bin storage, mechanical plant at roof level, signage, lighting and site development works at 17 Richmond Avenue, Drumcondra, Dublin.

## **Decision**

**REFUSE permission for the above proposed development in accordance with 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**

1. The position of the proposed building to the rear of the site with the street frontage of the plot being used solely as pedestrian access would result in a poor level of streetscape presence on an already piecemeal street rendering the proposed development a backland development. The proposed development would be contrary to principles of good streetscape design and would not make a positive contribution to the built environment in terms of design quality, scale, height and relationship to adjacent buildings as required under Section 16.10.7 of the Dublin City Development Plan 2016-2022. Furthermore, the location of the waste storage and access adjacent to the gable of number 19 Richmond Avenue would have a serious and undue impact on the amenities of that dwelling. The proposed development, by itself and by the precedent established for this street, would seriously injure the residential amenities of the area and would be contrary to both the policies and objectives of the current Dublin City Development Plan and the proper planning and sustainable development of the area.

2. The proposed development, in its position on this site, proximity to shared boundaries and the location of windows serving habitable rooms, would result in significant overlooking of adjoining sites at inadequate distances which would have both a serious and undue impact on existing residential amenities in the case of number 19 Richmond Avenue and a serious and undue impact on the future amenities of any development at number 15 Richmond Avenue as well as impacting on the potential layout and design of any scheme at that site and which may in turn impact negatively on the residential amenities of occupants of the proposed student housing. The proposed development would, therefore, seriously injure the residential amenities of the area and would be contrary to both the policies and objectives of the current Dublin City Development Plan and the proper planning and sustainable development of the area.

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**Michelle Fagan**

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

**Dated this            day of            2020.**