



An  
Bord  
Pleanála

**Board Direction**  
**BD-005419-20**  
**ABP-305982-19**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/03/2020.

The Board decided to refuse permission for the following reasons and considerations.

### **Reasons and Considerations**

Having regard to;

- The Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments, issued by the Department of Housing, Planning and Local Government in March 2018”.
- Childcare Facilities - Guidelines for Planning Authorities 2001

It is a stated objective of Specific Planning Policy Requirement 4 of the Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments that *“there shall generally be a minimum of 50% dual aspect apartments in a single scheme”*. It is considered that the ratio of dual aspect apartments proposed is substantially below this minimum requirement, and that the proposed development would therefore fail to provide an acceptable standard of amenity for its future occupants. Furthermore, it is considered that the proposed childcare facility provision is deficient in the provision of childcare places and is not in accordance with the guidelines for such facilities. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that, the provision of dual aspect apartments proposed would be unacceptable and would fall significantly below the minimum requirement, and that the changes which would be required to comply with these minimum standards, together with the requirement to increase the number of childcare places provided, would be significant and could not be dealt with by condition.

**Note:** The board was not satisfied that the quality of the communal open space, and limited extent of the proposed podium level deck between Blocks E and F, would provide a sufficient visual and residential amenity for future occupants.

The Board noted the concerns of the planning authority with regard to the exposed nature of the site, and the negative impacts of the prevailing winds in the area on high level balconies, and the results of the Wind Microclimate Assessment provided by the applicant, and considered that the changes required to achieve the level of mitigation required would be significant.

The Board decided not to include these issues in the refusal reason given the substantive reasons for refusal set out in its Order.

**Board Member**

**Date:** 18/03/2020

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Michelle Fagan