

An  
Bord  
Pleanála

**Board Direction**  
**BD-016176-24**  
**ABP-313255-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/04/2024.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

#### **Reasons and Considerations**

1. The proposed development fails to meet the criteria in section 3.2 of Specific Planning Policy Requirement 3 as set out within the Urban Development and Building Heights, Guidelines for Planning Authorities (2018) issued by the Department of Housing, Planning and Local Government in that at both site and neighbourhood level, the proposed development fails to successfully integrate into the existing character of the area. The proposal is considered overly dominant, would appear incongruous, would have an excessively overbearing effect on adjoining property, and would unduly overlook third party private open space of adjacent properties in Violet Hill Drive. The proposed development would, therefore, be contrary to the provisions of the Urban Development and Building Heights, Guidelines for Planning Authorities (2018), would result in a visually dominant and overbearing form of development when viewed from the surrounding area and in particular from the houses bounding the site in Violet Hill Drive, would seriously injure the amenities of property in the vicinity and the character of the area and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to Specific Planning Policy Requirement 7(b) of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, issued by the Department of Housing, Planning and Local Government in March 2018, which require that Build-to Rent (BTR) development must be accompanied by detailed proposals for supporting communal and recreational amenities, it is considered that the absence of communal Resident Support Facilities and the limited extent of Resident Services and Amenities in the proposed development results in a substandard format of residential development that does not fulfil the requirements of the Guidelines. In addition, the communal open space proposed for future residents is of poor quality and usability due to its positioning and fragmented nature within the development. The proposed development fails to provide an acceptable standard of communal services and recreational amenities for future occupants and would, therefore, be contrary to the provisions of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2018), be seriously injurious to the amenities of the future residents of the development and contrary to the proper planning and sustainable development of the area.

The Board considered the totality of the file and generally concurred with the Inspector's recommendation.

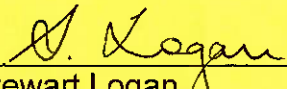
The Board noted the Inspector's recommendation that the proposed development be refused permission on the grounds of a substandard provision of dual aspect apartment units within the development. However, the Board considered that the subject site was at an accessible urban location and that the number of dual aspect apartment units was appropriate and above the minimum requirement of 33% dual aspect apartment units for such sites under Specific Planning Policy Requirement 4(i) of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2018).

The Board noted the third reason for refusal recommended by the Inspector related to the prematurity of granting permission for the proposed development pending completion of full ecological assessments of the application site. However, the Board

did not consider that the absence of such assessments of itself warranted refusal of the proposal.

The Board also noted that the Dublin City Development Plan 2022- 2028 had been made since the application was lodged and that the Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities (2009) had been replaced by the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024). The Board was satisfied that these new policies align with previous policies as they relate to this development and that this consequently enabled the Board to make a decision in relation to this case.

**Board Member**

  
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Stewart Logan

**Date:** 08/05/2024