

An  
Bord  
Pleanála

**Board Direction**  
**BD-015103-24**  
**ABP-314445-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/01/2024.

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

### **Reasons and Considerations**

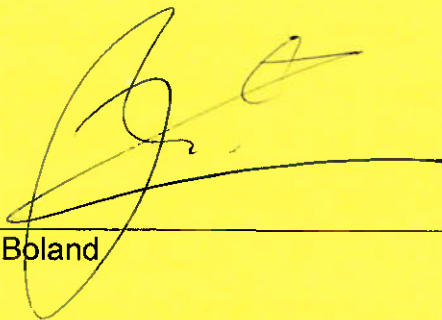
1. The proposed block, by reason of its proximity to the southwest and northwest boundaries of the site, would seriously impact on the future development potential of the adjoining site and would depreciate its value.
2. The quantum of one-bedroom units within the proposed development would contravene the requirements of Specific Planning Policy Requirement 1 and Specific Planning Policy Requirement 2 of the 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities' – December 2022. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. The following aspects of the proposed development would result in a poor level of amenity of future occupants of the scheme-
  - a) proximity of windows and balconies/terraces of some southwest and northwest facing units to the site boundaries would result in overshadowing from a building and trees on the adjoining site;

- b) necessity for squint windows to serve the windows of 10 bedrooms would offer a poor outlook for occupants of those rooms;
- c) position of the communal open space area immediately adjacent to Malahide Road would result in overlooking of this space by passing traffic; and if secluded by a high wall, would diminish the degree of passive surveillance of the adjoining footpath and road.

The proposed development would, therefore, be detrimental to the residential amenities of future occupants of the scheme.

NOTE: The Board noted and considered the Inspector's refusal Reasons Nos. 3 and 4. However, having regard to the separation distances involved, the existing nature of the site (i.e. existing trees at this location) and the site layout proposed, the Board considered that there would not be undue overlooking or overshadowing of the residential properties adjoining to the northeast and therefore did not agree with the Inspector's recommended refusal Reason no. 3. Furthermore, the Board considered that the deficiency in car parking provision could be adequately addressed by way of condition (noting the applicant's appeal submission) and therefore did not agree with the Inspector's recommended refusal Reason no. 4.

**Board Member**



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Joe Boland

**Date:** 18/01/2024