

An  
Bord  
Pleanála

**Board Direction**  
**BD-014397-23**  
**ABP-314489-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/10/2023.

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

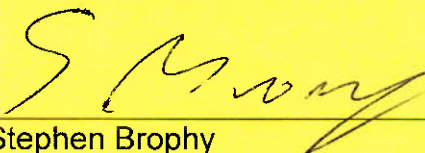
### **Reasons and Considerations**

1. Having regard to the site location, access and egress arrangements associated with the site and the site's in-curtilage relationship with the property No. 74 Lower Drumcondra Road (including to access proposed apartment 2A), it is considered that the development to be retained and as modified in the Appeal would represent inappropriate backland development, unacceptable overdevelopment of the overall property, would result in a substandard residential development providing substandard amenity for its occupants, would seriously injure the amenities of residents in No.74 and would contribute to unacceptable overlooking and loss of privacy to neighbouring properties No. 72 and 76. The development to be retained and as modified in the Appeal would, therefore, be contrary to the Z2 zoning objective for the area *'to protect and to improve the amenities of residential conservation areas'*, contrary to policy QHSN36 *'to promote the provision of high quality apartments'* and development standards set out in section 15.13.4 of the Dublin City Development Plan 2022-28, would set an undesirable precedent for wholly inappropriate development in the vicinity of the site and all residential areas and would be contrary to proper planning and sustainable development.

2. The development proposed to be retained and as modified in the Appeal represents a significantly substandard form of development which considerably lacks in its provision of quality residential amenity. The development does not comply with Specific Planning Policy Requirement 3 and 5, the requirements of section 3.8 and Appendix 1 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, December 2022, issued under Section 28 of the Planning and Development Acts 2000 (as amended). The proposal would therefore be contrary to the Ministerial Guidelines, and the proper planning and sustainable development of the area.

Note: The Board considered that the works proposed in the modified proposal received with the appeal represent works that materially alter the original proposal and so would require that the proposed works be readvertised; however as these proposals would not substantially address the reasons for refusal set out above, the Board decided not to consider this issue further at this time.

**Board Member**

  
Stephen Brophy

**Date:** 31/10/2023