



Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: 4388/17

APPEAL by Canmar Properties Limited care of Simon Clear and Associates of 3 Terenure Road West, Terenure, Dublin against the decision made on the 1st day of February, 2018 by Dublin City Council to refuse permission.

Proposed Development: (1) Demolition of all existing buildings on site. (2) Construction of a mixed use commercial and residential development in four number blocks accommodating three number commercial units and 58 number residential units comprising 14 number one-bed units (apartments), 24 number two-bed units (apartments) and 20 number three-bed units (12 number townhouses and eight number apartments). (3) The proposed blocks consist of the following: Block A: part three-storey/part five-storey (four-storey plus setback level) mixed-use block fronting onto Walkinstown Road accommodating a ground floor restaurant and two number retail/non-retail services units addressing Walkinstown Road, ground floor service and refuse storage areas, and 26 number apartments comprising of 10 number one-bed units, 13 number two-bed units and three number three-bed units with associate balconies/terraces. Block B: part three-storey/part four-storey (three-storey plus setback level) residential block fronting onto Balfe Road accommodating 20 number apartments comprising four number one-bed units, 11 number two-bed units and five number three-bed units with

associated balconies/terraces. Block C: two-storey plus attic level residential block fronting onto the central courtyard accommodating six number three-bed townhouses. Block D: two-storey plus attic level residential block at southern end of site accommodating six number three-bed townhouses. (4) Vehicular access from Walkinstown Road and realignment/widening of existing public laneway off Walkinstown Road including removal of existing boundary wall along laneway. (5) Internal access road and 58 number car parking spaces. (6) Loading area to serve commercial units. (7) Associated signage, bicycle parking, landscaping, boundary treatments, site development works and services. all on a site bounded and accessed by both Walkinstown Road and Balfe Road, comprising of Balfe Road Industrial Estate (2-4 Balfe Road), Walkinstown Road Surface Car Park and lands and industrial building (5 Walkinstown Road) to the rear of houses on Walkinstown Road and Thomas Moore Road, Walkinstown, 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. It is considered that the proposed development constitutes substandard overdevelopment, by reason of the excessive scale, height and mass of Block A relative to the Bank of Ireland building on the corner site facing onto Drimnagh Road and Long Mile Road at the northern end of Walkinstown Road, which would be overbearing, would undermine the Bank of Ireland building and would fail to satisfactorily integrate into the established form and character of the streetscape. The proposed development would, therefore, seriously injure the visual amenities of the site location and its environs, and would be contrary to the proper planning and sustainable development of the area.

2. It is considered that the proposed development would be substandard for the following reasons:
 - The backland and isolated nature of the location of Block D and the lack of connectivity within the proposed development due to severance of the proposed development by way of the insertion of an internal access road with linear carparking to either side adjoining the rear of existing residential properties;

 - The layout of the proposed development whereby the communal open space overlooked by Blocks A, B and C also serves as the circulation route serving as an access for most of the residential units in these blocks;

 - The serious impacts on the privacy of the property units in Blocks A, B and C by mutual overlooking;

- Deficiencies in the quality and amenity potential of the private open space provision for apartments due to the position of the balconies and terraces, facing towards and overlooking Walkinstown Avenue and Balfe Road and, for first floor units in Block A on the roof of the retail and restaurant units projecting forward of the block at ground floor level.

The proposed development would, therefore, seriously injure the residential amenities of future occupants, would seriously injure the residential amenities of adjacent properties, and would be contrary to the proper planning and sustainable development of the area.

Michelle Fagan

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2018.