



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 3255/18

APPEAL by Michael Courtney of 8 Marlborough Road, Donnybrook, Dublin, by Lispopple Point Limited care of OMS Architects of 63 Mount Street Lower, Dublin and by Others against the decision made on the 8th day of August, 2018 by Dublin City Council to grant subject to conditions a permission to Lispopple Point Limited.

Proposed Development: Partial demolition of existing one to three-storey mid-terrace building, while retaining the existing 98 square metres basement and three-storey front facade, gable and chimneys. Construction of three number buildings (with solar panels) containing one number retail unit and seven number residential units. Block A, fronting Morehampton Road, is three-storey over existing basement with 118 square metres retail unit to ground floor, with shopfront and signage onto Morehampton Road, and two number one-bed and study duplexes above, with balconies. All residential units are accessed via a new pedestrian access under Block A, with an entrance gate onto Morehampton Road. Block B, is four-storeys with two number rooflights and contains a residents meeting room and storage to ground floor, one number two-bed apartment to first floor and one number two-bed duplex and one number one-bed and study duplex to second and third floors, all with balconies. Block C is two-storeys with two number

rooflights and contains two number one-bed and study duplexes, with balconies. Provision of a new pedestrian entrance to replace the existing access from the laneway to the north-west of the site, leading to Marlborough Road; two number raised courtyards between the blocks, accessed by external stairs; 14 number bicycle spaces partially contained within a single storey bike shelter; all associated site works, all at McCloskeys, 83-85 Morehampton Road, 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. The proposed development, by providing residential accommodation where some apartments would have insufficient daylight, sunlight and/or a very poor outlook and where communal open space would be of insufficient quality due to the failure to ensure that adequate levels of sunlight reach the space throughout the year, would be contrary to the policies and objectives of the Dublin City Development Plan 2016-2022 and to the Design Standards for New Apartments – Guidelines for Planning Authorities issued by the Department of Housing, Planning and Local Government in March, 2018, which seek to promote the provision of quality apartments and to ensure that apartment living is an increasingly attractive and desirable housing option. The proposed development would, therefore, fail to provide an adequate standard of residential amenity for future residents and would be contrary to the proper planning and sustainable development of the area.
2. It is considered that the proposed development, by reason of the limited separation distances between the proposed apartment blocks, would not provide for adequate levels of privacy for future residents and would give rise to an unacceptable level of overlooking between apartments. The development would, therefore, constitute an overdevelopment of the site, would seriously injure the residential amenities of future residents 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 2019.