



Planning and Development Acts 2000 to 2019

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD18A/0449

APPEAL by Double E Investments Limited care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 20th day of February, 2019 by South Dublin County Council to refuse permission for the proposed development.

Proposed Development: Revisions to previously granted planning permission reference number SD16A/0060 which permitted a mixed retail/residential development. The development consists of the reconfiguration and revisions to include the exclusion of Stair number 1 at ground and first floor level, increase area size of retail Unit 1 by 18 square metres, the increase of residential units to 48 number units consisting of 24 number one bed apartments, 24 number two bed apartments all above the retail element at first, second and third floor levels, telecommunications antenna and dishes at roof level. There is no change to the overall number of parking spaces previously permitted under reference number SD16A/0060. Vehicular and pedestrian access to the retail/residential elements is via existing access point on Saint James's Road (northward) and Limekiln Green (eastward) with proposed pedestrian access (southward) via Limekiln Green at the former McHugh's Shopping Arcade and Traders Pub site, Saint James's Road and Limekiln Green, Greenhills, 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 reason of its design, scale and layout, would result in overlooking and overshadowing of adjoining residential properties, particularly to the west, and by reason of its bulk and the uniformity of finishes, would represent an overbearing feature that would be seriously out of character with its surroundings, and would, therefore, seriously injure the residential amenities of adjoining property, would be detrimental to the visual amenities of the existing neighbourhood, and would be contrary to the proper planning and sustainable development of the area.
2. The proposed substantial increase in the size of the block on this site and the significant increase in the number of apartments would, in the absence of any proposals for increased car-parking spaces, result in a displacement of car parking onto adjoining roads (where allowance has already been made for on-street parking in the original permission reference number SD16A/0060), and which would likely result in illegal parking on footpaths and grass verges. The proposed development

would, therefore, be detrimental to the residential amenities of the area and would endanger public safety by reason of traffic hazard and obstruction of road users.

3. The proposed development, by reason of its design and layout, would provide for a substandard level of amenity for future occupants, particularly having regard to:-

- A significantly insufficient proportion of dual aspect apartments.
- An unacceptable proportion of single aspect north facing apartments.
- The absence of adequate communal open space or facilities that would be readily usable by all occupants.

The proposed development would accordingly be contrary to the Ministerial Guidelines contained in the Sustainable Urban Housing: Design Standards for New Apartments (2018) and would seriously injure the residential amenities of future occupants of the proposed development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Philip Jones

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.