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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 4008/18**

**APPEAL** by Stephen White care of Future Analytics of 23 Fitzwilliam Square (South), Dublin against the decision made on the 13<sup>th</sup> day of June, 2019 by Dublin City Council to grant subject to conditions a permission to Three Castle Investments care of Tyler Owens Architects of The Mash House, Distillery Lofts Design Studios, Distillery Road, Dublin.

**Proposed Development:** (i) Phased demolition of the existing single storey, flat roof, community centre, (ii) construction of four number three-storey apartment blocks comprising 32 apartments (eight number one-bedroom and 24 number two-bedroom) over ground floor (street level) mixed-use development (1,046 square metres) comprising new Ballyfermot United Sports and Social Club with ancillary bar and function room and ancillary use's with 11 number car parking spaces and 15 number bicycle parking spaces to serve entire development. The apartment blocks will be provided with private balconies and access to a communal landscaped open space situated at first floor level and (iii) landscaping, boundary treatments, Sustainable Urban Drainage Systems drainage and all ancillary works necessary to facilitate the development. All at 2 Blackditch Road, Ballyfermot, 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

The proposed development, by reason of design and layout, including a significant number of single aspect north facing apartments, of which six have a sole aspect onto an adjoining service lane, and the qualitative provision of open space, including the western open space area which is bordered to the south by a three-storey façade with no proposed windows (notwithstanding a conditioned provision of high level windows), would fail to establish a satisfactory standard of amenity for future occupants and would not deliver a high quality apartment development. The proposed development would, therefore, conflict with the relevant provisions of the Dublin City Development Plan 2016-2022, the provisions of 'Quality Housing for Sustainable Communities: Best Practice Guidelines for Delivering Homes, Sustaining Communities' published in 2007 by the Department of the Environment, Heritage and Local Government, and would be contrary to the provisions of 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities' published in 2018 by the Department of Housing, Planning and Local Government, which states as the purpose of the Guidelines 'to strike an effective regulatory balance in setting out planning guidance to achieve both high quality apartment development and a significantly increased overall level of apartment output'. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Chris McGarry**

**Member of An Bord Pleanála**

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

**Dated this            day of            2019.**