



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: 2895/19

APPEAL by Colin Daly, Nicola Daly and Andrew Hayden care of Downey Planning of 1 Westland Square, Pearse Street, Dublin against the decision made on the 24th day of June, 2019 by Dublin City Council to refuse permission.

Proposed Development: Demolition of the existing two-storey building and associated structures on site and the construction of a residential development consisting of 32 number apartments (one number studio, 11 number 1 bedroom, 14 number two bedroom, six number three bedroom) in two number blocks, to be provided as follows: Block A - a four-storey building containing a total of 17 number apartments comprising one number studio, nine number one bedroom, five number two bedroom, two number three bedroom with balconies to north, east and south elevations, Block B - a five-storey building containing a total of 15 number apartments comprising two number one bedroom, nine number two bedroom, four number three bedroom with balconies to north and south elevations, a basement comprising a total of 20 number car parking spaces, two number motorcycle spaces, 76 number bicycle parking spaces, ancillary plant room and refuse storage areas, vehicular and pedestrian access onto Bannow Road, landscaping, boundary

treatment, drainage and all associated site and infrastructure works necessary to facilitate the development. All at 280 Bannow Road, Cabra, 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. Having regard to the size, disposition and poor quality of open space, and to the proximity of the apartment blocks to each other, and the consequential impact on daylight within the proposed development, it is considered that the proposed development would be overshadowing and overbearing, would seriously injure the residential amenity of future occupants and would, therefore, constitute overdevelopment of the site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that the proposed separation distances between windows serving living and bedroom areas in opposing units would create a lack of privacy for future occupants. Furthermore, the layout and configuration of a number of the proposed apartments, particularly those with undersized ensuite bedrooms, do not meet the standards set out in the Ministerial Guidelines 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, March, 2018. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the proposed development would seriously injure the residential amenity of future occupants and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2019.