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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3244/20**

**APPEAL** by Satinash Developments Limited care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 19<sup>th</sup> day of October, 2020 by Dublin City Council to refuse permission.

**Proposed Development:** The proposed development comprises the following: (i) demolition of existing derelict structures comprising one number two-storey and two number single storey former industrial units and removal of existing boundary walls on site, (ii) construction of a 10-storey apartment block comprising 42 number residential units (17 number one-bedroom and 25 number two-bedroom) with each unit being served by private amenity space and having access to a communal roof terrace/garden (263 square metres). The apartment block includes 104 number bicycle spaces, concierge area (49 square metres), bin store (82 square metres), substation, switch room, tanks/pumps at ground floor level, 42 number storage lockers (75.5 square metres) at first floor level and additional plant at roof level and (iii) all ancillary works including landscaping, lighting and engineering works necessary to facilitate the development. All on a corner site (known as

Lawlor's Corner) at the junction of Summer Street South and Marrowbone Lane, encompassing 3 Summer Street South, 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 height, design, scale, mass and bulk of the proposal and the proximity of the development to adjoining properties, it is considered that the proposed development would constitute overdevelopment of the site and would excessively overlook and overshadow adjoining properties. The proposed development would fail to integrate or be compatible with the design and scale of the adjoining buildings and as a result, would seriously injure the visual amenities of the streetscape and would have an adverse impact on the character of the area. The proposed development would, therefore, by itself and the precedent it would set for other development, seriously injure the amenities of property in the vicinity, would be contrary to the provisions of the Dublin City Development Plan 2016-2022 and would be contrary to the proper planning and sustainable development of the area.

2. It is considered that a number of apartments in the development would fail to provide for a sufficient level of amenity for proposed residents as set out in the “Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities” issued by the Department of Housing, Planning and Local Government in March, 2018 and as a result, would be contrary to the provisions of the Dublin City Development Plan 2016-2022 and the said Guidelines. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Michelle Fagan**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2021.**