

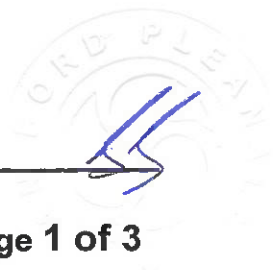
Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 2575/20

APPEAL by Osdale Limited care of Brock McClure of 63 York Road, Dún Laoghaire, County Dublin against the decision made on the 9th day of November, 2020 by Dublin City Council to refuse permission to Osdale Limited.

Proposed Development The change of use for the existing building on site from a care home for the elderly/nursing home to residential. Works to facilitate the change of use will comprise of the: (a) demolition of parts of the existing building including the removal of: internal walls, external doors and windows; (b) internal alterations to the existing building to provide for 11 number residential apartments (one number studio unit, six number one-bed units and four number two-bed units) including the construction of new internal walls; (c) reconstruction of parts of the external walls; (d) provision of private amenity spaces; (e) installation of 11 number roof lights; and (f) three number car parking spaces (including one number universally accessible space), 20 number bicycle parking spaces, secure bin storage and all associated landscaping, site development and infrastructural works, all at 30 Haddon Road, Clontarf, Dublin.



Decision

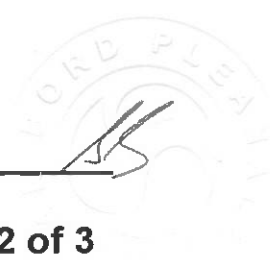
REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

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

Having regard to the nature and design of the proposed development, including the revised plans and particulars received by An Bord Pleanála on the 6th day of July, 2021, it is considered that, arising from the deficiencies in the private amenity spaces for apartment numbers 2, 3, 4, 5, 6 and 7, which are considered to be substandard in size and orientation, the proposed development would result in a substandard level of amenity for future occupants, notwithstanding the relaxation of standards allowed for in the “Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities” issued under Section 28 of the Planning and Development Act, 2000 (as amended) by the Department of Housing, Local Government and Heritage in December 2020. In this regard, it is considered that the proposed development would seriously injure the residential amenity of prospective residents and 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, notwithstanding the planning history of the site, the proximity of the seafront and that the proposed development is not new build, the Board did not agree that the provision of what is considered substandard private open space would be acceptable in terms of the amenity of future residents, particularly due to deficiencies in size, orientation and sunlight penetration.



Stephen Bohan

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this *22nd* day of *July* 2021.