



An  
Bord  
Pleanála

Board Order  
ABP-309280-21

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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3622/20**

**APPEAL** by Michael Moran care of Green Design Build of 5a Collins Park, Dublin against the decision made on the 17<sup>th</sup> day of December, 2020 by Dublin City Council to refuse permission.

**Proposed Development:** Removal/demolition of existing single storey commercial buildings and construction of a flat roof, part one-storey, part three-storey, building comprising 13 number one bed apartments with balconies to front and rear, lift, solar panels, parking, landscaping, existing access from Brookville Park, new vehicular access from Mount Dillon Court and all associated works, at Mount Dillon Business Park/Commercial Yard, Brookville Park, Malahide Road, Artane, Dublin. (Previous planning application register reference number 2427/17).

## **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 and layout, including private/communal open space with low amenity level, insufficient provision of bicycle parking and storage, and general storage for apartment units, lack of clarity on access and servicing, insufficient privacy and security for apartment units and insufficient arrangements in relation to accessibility for all, would fail to establish a satisfactory standard of amenity for future occupants and would not deliver a quality apartment development in line with Section 16.10.1 and Policy SC13 of the Dublin City Development Plan 2016-2022 or the relevant provisions of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, issued by the Department of Housing, Local Government and Heritage in 2020. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development, by reason of its design and layout, would constitute development which would seriously injure the residential amenities of property in the vicinity by reason of overlooking, and given its proximity to properties to the east and west, would have an overbearing and obtrusive appearance when viewed from neighbouring dwellings. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

*Terry Prendergast*

**Terry Prendergast**

**Member of An Bord Pleanála**

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

Dated this *21<sup>st</sup>* day of *July* 2021.

