



Planning and Development Acts 2000 to 2020

Planning Authority: Dún Laoghaire-Rathdown County Council

Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, in accordance with plans and particulars, lodged with An Bord Pleanála on the 30th day of April 2021 by Atlas GP Limited care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin.

Proposed Development comprises of the following:

- (i) Construction of a Build to Rent residential development within a new part six, part eight, part nine, part eleven storey rising to a landmark seventeen storey over basement level apartment building (40,814 square metres) comprising 428 number apartments (41 number studio, 285 number one-bedroom, 94 number two-bedroom and eight number three-bedroom units) of which 413 number apartments have access to private amenity space, in the form of a balcony or law and terrace, and 15 number apartments have access to a shared private roof terrace (142 square metres) at ninth floor level;

- (ii) All apartments have access to 2,600 square metres of communal amenity space, spread over a courtyard at first floor level and roof terraces at sixth, eighth and ninth floor levels, a 142 square metres resident's childcare facility at ground floor level, 392 square metres of resident's amenities, including concierge and meeting rooms, office and co-working space at ground floor level and a meeting and games room at first floor level, and 696 square metres of resident's amenities/community infrastructure inclusive of cinema, gym, yoga studio, laundry and café and lounge at ground floor level. The café and lounge will primarily serve the residents of the development and will be open for community use on a weekly and sessional basis;
- (iii) Provision of 145 number vehicular parking spaces (including eight number mobility parking spaces, two number club car spaces and 44 number electric charging spaces), five number motorcycle parking spaces, bin stores, plant rooms, switch room and two number Electricity Supply Board substations all at ground floor level; provision of bicycle parking (752 number spaces), plant and storage at basement level; permission is also sought for the removal of the existing vehicular entrance and construction of a replacement vehicular entrance in the north western corner of the site off Carmanhall Road;
- (iv) Provision of improvements to street frontages to adjoining public realm of Carmanhall Road and Blackthorn Road comprising an upgraded pedestrian footpath, new cycling infrastructure, an increased quantum of landscaping and street planting, new street furniture inclusive of bins, benches and cycle parking facilities and the upgrading of the existing Carmanhall Road and Blackthorn Road junction through provision of a new uncontrolled pedestrian crossing; and,

- (v) All ancillary works including provision of play equipment, boundary treatments, drainage works including Sustainable Drainage System drainage, landscaping, lighting, rooftop telecommunications structure and all other associated site services, site infrastructure and site development works. The former Avid Technology International buildings were demolished on foot of Register Reference Number D16A/0158 which also permitted a part five rising to eight storey apartment building. The development approved under Register Reference Number D16A/0158, and a subsequent part seven rising to nine storey student accommodation development permitted under An Bord Pleanála Reference Number ABP-303467-19, will be superseded by the proposed development all located at the Former Avid Technology International Site, Carmanhall Road, Sandyford Industrial Estate, Dublin 18.

Decision

Refuse permission for the above proposed development based on 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 proposed quantum and resulting form of development, in particular the enclosed nature of the scheme layout and height on this restricted site, it is considered that the proposed development would result in a substandard quality of communal open space and an inadequate range and extent of resident support facilities and amenities serving the entire development. Furthermore, substandard bicycle parking facilities have been provided, in particular with regard to accessibility for all residents and the quantum provided for visitors, and the residential amenity of some individual apartments is deficient in relation to private amenity space and daylight availability. In the absence of suitable alternative proposals to compensate for design deficiencies in the proposed units and the scheme as a whole, the Board considers that the proposed development would result in a substandard level of residential amenity for the future occupants of the proposed development. In addition, the Board is not satisfied that the proposed development would provide a satisfactory interface with the adjoining site to the north-west in terms of proximity to the site boundary and sunlight and daylight impact, and that it would not prejudice the development potential of that site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development would materially contravene the height and density provisions of the Dún Laoghaire-Rathdown County Development Plan 2016-2022, including the Sandyford Urban Framework Plan. The Board is not satisfied that a material contravention of the Development Plan is justified in this instance, in that the proposed development fails to meet the criteria as set out in section 3.2 and Specific Planning Policy Requirement 3 of the Urban Development and Building Heights Guidelines for Planning Authorities, issued by the Department of Housing, Planning and Local Government in December 2018. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Terry Prendergast

Member of An Bord Pleanála

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

Dated this *12th* day of *August* 2021