

An
Bord
Pleanála

Board Order

ABP-314163-22

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3870/22

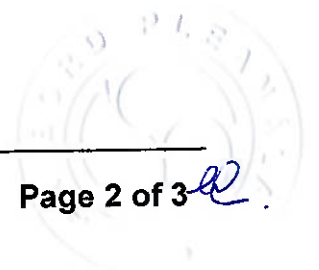
Appeal by HEX3 Limited care of Armstrong Planning Limited of 12 Clarinda Park North, Dún Laoghaire, County Dublin against the decision made on the 27th day of June, 2022 by Dublin City Council to refuse permission.

Proposed Development: Retention permission for subdivision of ground-floor retail unit (spanning numbers 61 and 63) to revert to two independent retail units, and demolition of ancillary store to rear (9.9 square metres), together with associated elevational alterations and the reinstatement of customer entrance to front at number 61. In addition, planning permission is also sought for subdivision of retail unit 1 (at number 61) to convert existing ancillary office use at first-floor level (through a change-of-use) to a self-contained office unit, together with installation of obscure glazing to rear elevation at first-floor level, internal-subdivision of retail unit 1 (at ground-floor level) to provide a reduced retail unit (retail unit 1, measuring 28.04 square metres) and to accommodate (through a change-of-use) residential floorspace at the rear portion of unit 1 (37.4 square metres), to combine with the construction of a new two-storey residential building to rear courtyard (to rear of number 61) to create one number two-storey two-bed dwelling unit, including internal courtyard to provide private open space, and bicycle parking, bin storage and the provision of one number parking space to rear utilising the existing access from

laneway to rear (all serving the proposed dwelling unit) as well as all associated site development works, all at 61-63, Saint Assam's Park, Raheny, Dublin.

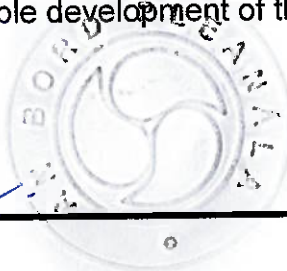
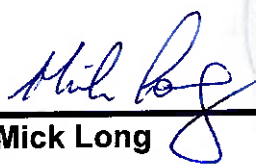
Decision

REFUSE permission for the above development for the reasons and considerations set out below.



Reasons and Considerations

Having regard to the restricted nature of the site, it is considered that the proposed development and the development proposed to be retained, would result in a substandard dwelling with poor internal configuration, having residential accommodation linked solely by an external courtyard, providing inadequate residential amenity and substandard private open space. In addition, there would be an insufficient separation distance from the rear elevation of number 61 Saint Assam's Park to the proposed detached two-storey backland residential building to the rear of the site. Furthermore, the commercial bin store to serve the two retail units and office unit located in the service lane would not be satisfactory by reason of the distance and access from the commercial units taking a circuitous route through the customer entrances on Saint Assam's Park via the frontage of number 62A Saint Assam's Avenue to access the laneway. The proposed development and development proposed to be retained would constitute overdevelopment of a restricted site contrary to Objective Z3 of the Dublin City Development Plan 2022-2028 to improve neighbourhood facilities for the area, would be inconsistent with the residential housing standards and provisions of the development plan and would, therefore, be contrary to the proper planning and sustainable development of the area.



Mick Long

Member of An Bord Pleanála

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

Dated this *7th* day of *November* 2023.