

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

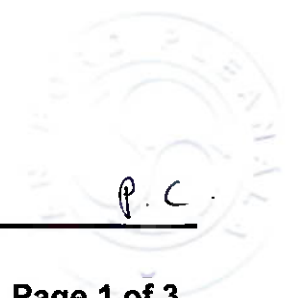
Planning Register Reference Number: 3224/22

APPEAL by Easy Living Developments Limited care of CDP Architecture of 4 The Mall, Lower Main Street, Lucan, County Dublin against the decision made on the 13th day of July, 2022 by Dublin City Council to refuse permission.

Proposed Development: Demolition of the existing disused single storey building and the construction of a four-storey building to accommodate four number studios, two number two-bed apartments and one number two-bed duplex apartment, going to number of seven number units in total. All with associated bin and bicycle store, landscaping, balconies, site development works and drainage, all at 8A Henrietta Lane, Dublin.

Decision

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



Reasons and Considerations

1. Having regard to the position of the proposed building relative to the play area within the curtilage of 8 Henrietta Street to the south and the location of first and second floor bedroom windows 1.5 metres from the common boundary with 8 Henrietta Street, it is considered that, notwithstanding the proposed use of obscured glazing in some of the glazing panels on the southern façade of the building in habitable rooms, the proposed development would result in overlooking of adjoining property to the south, which would seriously injure the amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The layout of the ground-floor studio apartment does not meet with the minimum width standard, set down for such units in the 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (December 2022)', prepared by the Department of Housing, Local Government and Heritage. The balcony areas for each of the two, two-bedroom, units do not meet with the minimum area requirements set down in the afore-mentioned Guidelines.

Furthermore, the courtyards for the two ground floor units would provide a poor quality of amenity space for future occupants of the units having regard to their limited depth and area, the ground level relative to the level of the adjoining play area/classroom structure, and the boundary wall with this property to the south.

It is also considered that the level of daylight and sunlight available to the studio unit within the development would be seriously substandard and would be detrimental to the residential amenities of future occupants. The proposed development would, therefore, seriously injure the amenities of future occupants of the units and be contrary to the proper planning and sustainable development of the area.

Patricia Calleary

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Member of An Bord Pleanála

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



Dated this 25 day of January 2024.