

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 4153/22

APPEAL by Melvin Properties Limited and Feltrim Properties Limited care of Brock McClure of 63 York Road, Dun Laoghaire, County Dublin against the decision made on the 28th day of July, 2022 by Dublin City Council to refuse permission.

Proposed Development: Demolition of two number single storey existing bungalow dwellings on site (circa 203.3 square metres GFA total) and the construction of an apartment building ranging in height from four to six storeys comprising 47 number one-bed 'Housing for Older People' apartment units. The development also proposes approximately 366 square metres of communal amenity space (278 square metres landscaped communal open space and 88 square metres internal communal amenity area), balconies/terraces associated with individual apartment units, associated secure bicycle parking (54 number spaces), surface level car parking (four number spaces), bin storage, ESB substation, boundary treatments, hard and soft landscaping and all other associated site works above and below ground on an overall site area of circa 1,910 square metres. Vehicular and pedestrian access to the development will be from new access points along Malahide Road, all at 5 and 6 Malahide Road, Newtown Cottages, Priorswood, Dublin.

Decision

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

Reasons and Considerations

1. It is considered that, by reason of its proximity to the southwest and northwest boundaries of the site, the proposed development would seriously impact on the future development potential of the adjoining site and would depreciate its value. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The quantum of one-bedroom units within the proposed development would contravene the requirements of Specific Planning Policy Requirement 1 and Specific Planning Policy Requirement 2 of the Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (December 2022). The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



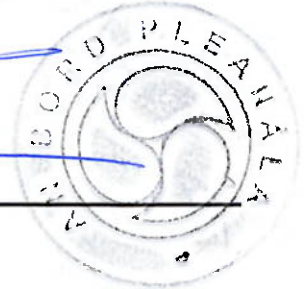
3. It is considered that by reason of:
- (a) the proximity of windows and balconies/terraces of some southwest and northwest facing units to the site boundaries, which would result in overshadowing from a building and trees on the adjoining site,
 - (b) the necessity for squint windows to serve the windows of 10 bedrooms, which would offer a poor outlook for occupants of those bedrooms, and
 - (c) the position of the communal open space area immediately adjacent to Malahide Road, which would result in overlooking of this space by passing traffic and, if secluded by a high wall, would diminish the degree of passive surveillance of the adjoining footpath and road,

the proposed development would result in a poor level of residential amenity for future occupants of the scheme and would, therefore, be contrary to the proper planning and sustainable development of the area.



Joe Boland

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**



Dated this *19th* day of *January* 2024.