



An
Bord
Pleanála

Board Order
ABP-314489-22

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 4210/22

Appeal by Pinnacle Private Capital Limited care of Hendrik W van der Kamp of 1 Woodstown Court, Knocklyon, Dublin against the decision made on the 5th day of August, 2022 by Dublin City Council to refuse permission.

Proposed Development: Retention of existing two-storey/single storey extension (total floor area 107 square metres) comprising three number self-contained residential units, units 1B and 1C at ground floor level and unit 2A at first floor level, all located to the rear of 74 (Woodlawn House), Drumcondra Road Lower, Drumcondra, Dublin.

Decision

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

Reasons and Considerations

1. Having regard to the site location, access and egress arrangements associated with the site, and the site's in-curtilage relationship with the property at 74 Lower Drumcondra Road (including to access proposed apartment 2A), it is considered that the development proposed to be retained, as modified by the appeal, would represent inappropriate backland development, unacceptable overdevelopment of the overall property, would result in a substandard residential development providing substandard amenity for its occupants, would seriously injure the amenities of residents at number 74 and would contribute to unacceptable overlooking and loss of privacy to the neighbouring properties at numbers 72 and 76. The development proposed to be retained, as modified by the appeal, would be contrary to the Z2 zoning objective for the area 'to protect and/or improve the amenities of residential conservation areas', would be contrary to policy QHSN36 'to promote the provision of high quality apartments' and development standards set out in section 15.13.4 (Backland Housing) of the Dublin City Development Plan 2022-2028, would set an undesirable precedent for wholly inappropriate development in the vicinity of the site and all residential areas, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The development proposed to be retained, as modified by the appeal, would represent a significantly substandard form of development which considerably lacks in its provision of quality residential amenity. The development proposed to be retained would not comply with Specific Planning Policy Requirement 3 and 5, the requirements of section 3.8 and Appendix 1 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 December 2022. The development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.



S. Brophy

Stephen Brophy

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *9th* day of *November* 2023.