



An  
Bord  
Pleanála

**Board Order**

**ABP-314500-22**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 4211/22**

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

**Proposed Development:** Retention of existing single storey structure (total floor area 63 square metres) comprising two number self-contained residential units, 1B and 1C at ground floor level, located to the rear of number 72 (Killaan Manor) 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 72 Lower Drumcondra Road, 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 and would seriously injure the amenities of residents at number 72. 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 2022-28, 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, the requirements of section 3.7, 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.



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**Stephen Brophy**

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

Dated this 9<sup>th</sup> day of November 2023.