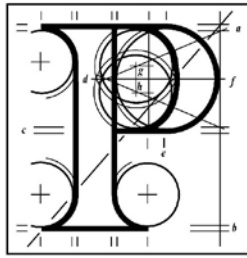


# An Bord Pleanála



## Inspector's Report

**An Bord Pleanála Ref.:** PL29S.246364

**Development:** Demolition of buildings, construct 2/3 & 4 storey building to provide apartments and reconfiguration of apartments at 27-28 Mount Pleasant Avenue, Rathmines, Dublin 6.

### Planning Application

Planning Authority: Dublin City Council  
Planning Authority Reg. Ref.: 2004/16  
Applicant: Hermitage Taverns Ltd.,  
Type of Application: Permission  
Planning Authority Decision: Refuse Permission

### Planning Appeal

Appellant(s): Hermitage Tavern Ltd  
Type of Appeal: First Party  
Observers:  
1) Cliona Hickey  
2) Grafton Architects  
3) Fiona McHugh and Paul Byrne  
4) Pauline Hall  
5) Susan Jane White  
6) The Rathmines Initiative

Date of Site Inspection: 24<sup>th</sup> of May 2016

**Inspector:** Angela Brereton

## **1.0 SITE LOCATION AND DESCRIPTION**

The site is located at no.27-28 Lower Mount Pleasant Avenue which is a residential area between Ranelagh and Rathmines. It forms part of a block of mixed use properties between Richmond Hill to the south and the recent residential development at Bessborough Parade to the north. The existing building adjoins no.28a Lower Mount Pleasant Avenue. The rear of the site faces the rear garden area of the 3no. storey apartment development and private carpark at Richmond Manor.

The application site contains the landmark 1910, 3no. storey red brick building which contains Corrigan's public house at ground floor, 2no. apartments at first floor and offices at second floor. To the rear of the site is a storage facility for the pub. There is a 2no. storey pair of mid-terraced dwellings adjoining to the south and a 2no. storey building which contains a corner shop with apartment above. The front elevation of the building faces more traditional 2no. terraced residential dwellings on Mount Pleasant Avenue and the rear gardens of the protected structures in Mount Pleasant Square. The tunnelled pedestrian entrance to this Square is located on the opposite side of the road to the south. The copper dome of the Church in Rathmines Road Lower can be seen in the distance from the site.

This is a busy area proximate to two junctions and there is currently no onsite parking for the existing uses within the building. There are extensive double yellow lines and some on-street parking; very limited off street parking is available in the area. The LUAS is c.400m away. The Grand Canal is c.300m to the north.

## **2.0 PROPOSED DEVELOPMENT**

This comprises the following:

- a) The complete restoration and reconfiguration of the existing licensed premises inclusive of internal revisions, external courtyard, stores and roof lights.
- b) The demolition of the existing single and two storey buildings, sheds and returns to the rear of the property.
- c) The reconfiguration of the existing 2no. first floor apartments to the front of the site.
- d) The change of use of the existing office space at second floor to the front of the site to provide for 2no. 1 bedroom apartments along with the provision of a new access staircase.
- e) The revision of the existing roof to provide for an additional two bedroom loft apartment at third floor along with associated dormer windows and terrace to the rear of the property.
- f) The construction of a new 2-3-4 storey building to the rear of the site; comprising 1no. two bedroom duplex apartment and 1no. two bedroom duplex along with all associated terrace, rooflights and site works to provide a total development of 7no. apartments.
- g) The provision of a mechanical car parking installation to provide parking for 3 cars, associated refuse and storage areas and a new vehicular access onto Lower Mount Pleasant Avenue, along with associated fenestration revisions to the front of the property.

The application form notes that the site area is 289sq.m, the floor area of buildings to be retained on site is 366.3sq.m, new build is 265.4sq.m i.e. the total floor area of existing and retained is 629.7sq.m. The floor area of buildings to be demolished is 169.6sq.m.

The total non-residential floor area (i.e. the reconfigured p/h) is given as 113.4sq.m. 4no. 1 bed and 3no. 2 bed apartments are proposed with a total net floor area of 398.8sq.m and g.f.a of 434.11sq.m.

The following have been submitted with the application:

- A Planning Report dated December 2015, prepared by Allister Coyne MRIAI, Ailtir(eacht), which provides a description of the proposed development and has regard to locational context, planning history and policy. This includes a Schedule of Accommodation.
- A Drainage Report dated December 2015, for the Proposed Extension and Alterations by Fitzsimons Doyle & Associates, Consulting Engineers.
- A Site Location Map, Site Layout Map, Floor plans, Sections and Elevations showing the existing and proposed development.

### **3.0 PLANNING HISTORY**

#### Subject Site:

- Reg.Ref.3147/13 – Permission refused by Dublin City Council and subsequently on appeal to the Board for a) change of use from offices to two no.1 bedroom apartments at second floor and rear elevation alterations to provide balconies and access to storage, b) elevation changes to rear of 2 no. existing first floor apartments to provide screened enclosed private open space balcony to each apartment.

The Board's reason for refusal (PL29S.242655 relates) included that the proposed development would result in sub-standard residential amenity for future occupants, would contravene the requirements of the Development Plan 2011-2017 and the 'Sustainable Residential Development in Urban Areas Guidelines' 2008 and would be contrary to the proper planning and sustainable development of the area.

A copy of this decision is included in the History Appendix to this Report.

#### Other proximate sites:

- Reg.Ref.3645/15 – Permission granted subject to conditions by Dublin City Council for the demolition of the existing 2 storey building comprising a corner shop and apartment above and to construct a new 4 storey contemporary apartment building to comprise 3no. duplex apartments with roof top garden at no.25 Lower Mount Pleasant Avenue/Corner of Richmond Hill.

This application is now the subject of a Third Party appeal to the Board Ref.PL29S.246213 relates.

#### 4.0 PLANNING AUTHORITY APPLICATION

The Engineering Department Drainage Division does not object to the proposed development and recommends a number of conditions.

The Roads Streets & Traffic Department Road Planning Division has concerns regarding the proposed mechanical parking and recommends that further information be submitted on the workings of such within the development and also on cycle parking arrangements.

##### **Submissions**

A number of submissions have been received from local residents including Rathmines Initiative Group and their concerns include the following:

- This proposal would be detrimental to the character of this Edwardian Structure and the character of the area.
- It would detract from the vistas in the area.
- Concern about the standard of accommodation provided by the layout in the plans submitted.
- Overdevelopment of this confined site having regard to standards – Plot Ratio, Site Coverage etc.
- Poor standard of design and layout that would not respect the character of the area.
- Reduction of daylight and overshadowing to adjoining properties.
- The majority of buildings in the area do not exceed two stories.
- The proposal would impact adversely on the rear of houses in Mount Pleasant Square which are within the residential/conservation area zoning and are protected structures.
- Concern regarding the impact of the proposed development on Bessborough Parade residential development to the north.
- The proposal which includes a mechanical car parking area would impact on traffic/pedestrian safety in this busy area.
- It will increase parking and traffic congestion in this restricted parking area.

##### The Planner's Report

The Planner had regard to the locational context of the site, planning history and policy and to the submissions made and the recommendations of the interdepartmental reports. They did not consider that removing half of the public house on the ground floor, including the front window to be acceptable given the character of the building. They considered that the proposed design and layout including the provision of open space would result in a poor standard of residential amenity for the future occupiers of the apartments. The proposal having regard to the height, bulk and scale of the rear block would impact adversely and lead to overshadowing of neighbouring residential properties. They considered that the drawings submitted do not adequately show the visual implications of such a development on an existing prominent building. They concluded that the proposed development is considered to be inappropriate on the site and would provide for a substandard form of accommodation and would further negatively impact on the adjoining properties in relation to overshadowing and also in relation to its bulk and scale.

## 5.0 PLANNING AUTHORITY DECISION

On the 26th of February 2016 Dublin City Council refused permission for the proposed development for the following reasons:

1. *The proposed development fails to comply with the DoE – Sustainable Urban Housing: Design Standards for New Apartments 2015, in relation to minimum size standards and with regards to private open space provision and as such would set a precedent for substandard residential development and is therefore considered to seriously injure the amenity of property in the vicinity and as such is considered to be contrary to the Z1 zoning objective of the site which is to protect, provide and improve residential amenities, and is contrary to the proper planning and development of the area.*
2. *The proposed development to remove half of the ground floor public house shop front and to replace it with garage doors is considered to seriously impact on the character of the building and its contribution to the streetscape and as such is considered to be seriously injurious to property in the vicinity and contrary to the proper planning and sustainable development of the area.*
3. *Having regard to the height and depth of the rear block it is considered that the development would be seriously injurious to the residential amenity of the properties directly to the north of it in Bessborough Parade in relation to overshadowing of their existing glazed top and lightwell and as such the development is considered to be contrary to the proper planning and sustainable development of the area.*

## 6.0 GROUNDS OF APPEAL

Sheridan Woods, Architecture, Urban Design and Planning have submitted an appeal on behalf of the First Party. This has regard to the locational context of the site, and to planning policy. They provide a detailed description of the proposed development relative to building height/block configuration, unit design, open space provision and to car and cycle parking provision. They have regard to the Council's reasons for refusal and note that the key issues arising and addressed in the grounds of appeal are as follows:

- Traffic and Transport
- Dwelling Type and Mix
- Amenity of Proposed Apartments
- Impact on Adjoining Neighbours
- Visual impact of the proposed development

Their response to these issues includes the following:

### Traffic and Parking:

- In response to the issues raised by the Road Traffic Planning Division, they provide a detailed assessment of the car parking requirement and note car parking options and submit that it is reasonable to consider that a reduced level of car parking should be permitted.
- They request the Board to give consideration to attaching a condition to request changes to the design to accommodate two parking spaces or

to give consideration to the omission of the car parking requirement entirely on the grounds that the site is close to public transport links. They provide details and drawings showing the 2no. options.

#### Dwelling Mix and Type:

- The proposed development has been designed in the context of the DCDP 2011-2017 and they have regard to Par 11.4.2 relative to higher densities in sustainable residential areas.
- They also have regard to the New Apartment Guidelines 2015 and provide that the proposal seeks to meet the demand for smaller housing units.
- The proposal supports policy regarding the provision of residential units above a ground floor premises.
- They refer to the Housing Quality Assessment attached as Appendix D, reviewed in the context of these Guidelines.
- They submit that a modest relaxation of these standards is appropriate in the refurbishment of the existing building.
- They are willing to accept a condition to omit car parking and to modify the plan to provide designated storage areas at ground level in order to enhance the extent of floor area provision and the quality of the unit.

#### Open Space:

- A description is provided of the open space provision for the apartments. They note that this could be improved/modified to further widen the balconies and enhance their amenities.
- The open space provision for the duplex and triplex units proposed at the rear complies with standards.
- They note that a central courtyard is provided and that while public open space is not provided, the site is easily accessible to several such spaces in the area.
- They ask the Board to include a condition relative to contributions for public open space.

#### Impact on Adjoining Neighbours:

- They provide a detailed description of plot ratio and site coverage areas relative to the existing and proposed development and consider that the proposed development represents an improvement on the existing.
- They provide a review of the Shadow Analysis in Appendix E. This demonstrates that the proposed development will have negligible impact on the properties immediately adjoining the proposal.
- They request the Board to dismiss overshadowing of adjoining properties as a grounds for refusal.
- They also provide that the proposal has been designed to prevent overlooking of adjoining properties and request the Board to dismiss overlooking as a grounds for refusal.

#### Visual impact-Provision of Garage doors

- They submit that the provision of the garage doors has been designed to minimise its impact and that parking and pedestrian access is

provided. Also that this achieves a reasonable balance of sustaining residential densities, while meeting the car parking requirements of the DCDP and should not constitute a reason for refusal.

- If the Board accepts that no car parking is required the applicant is willing to accept a condition requiring that the existing shop front and entrance door be retained as an entrance to the proposed apartments.

#### Overall Visual Impact

- They provide 3D views in Appendix F to illustrate the potential impact of the proposed development. This shows current and proposed views from Mount Pleasant Avenue looking north and south. They provide that the existing building will continue as a landmark structure.
- They submit that the proposal will rationalise the development on site, will protect visual amenity and will represent an improvement and enhancement of the structure in the urban streetscape.

#### Concluding Comments

- The development has been carefully designed with detailed consideration being given to its context.
- The contemporary approach compliments the existing structure and integrates and provides an appropriate addition to contemporary development within this urban block.
- The development successfully addresses the varied building forms within the block and the new build forms a transition between the existing building and other contemporary build in the area.
- They consider that the modifications proposed in response to the Council's decision enhance the overall scheme which will have minimal impact on adjoining properties or on the streetscape.
- They provide a list of modifications submitted and note that if the Board are mindful to grant they would be prepared to accept a condition relative to inclusion of the modifications and as shown on the drawings in Appendix G.

## **7.0 OBSERVATIONS**

Observations have been received from the following, including local residents:

- 1) Cliona Hickey – no.1 Bessborough Parde
- 2) Grafton Architects - Shelly McNamara (Director)
- 3) Fiona McHugh and Paul Byrne – no.26 Mount Pleasant Square
- 4) Pauline Hall – 28a Lower Mount Pleasant Avenue
- 5) Susan Jane White – 27 Mount Pleasant Square
- 6) The Rathmines Initiative – Michael Kelly (Chairperson)

As these are all concerned about the impact of the proposed development on their properties and on the character of the area, for convenience their concerns are grouped together under headings and are summarised below:

#### Impact on the amenities of adjacent properties

- The proposed development will impact adversely on the residential amenities of adjoining properties to the north including intrusion of the privacy of no.1 Bessborough Parade.

- The proposal will impact adversely on the adjoining property to the north No.28a Lower Mount Pleasant Avenue and lead to overshadowing and overlooking.
- It would be overbearing for adjoining residents.
- There is concern about the accuracy of the Shadow Impact Analysis.
- Issues concerning overlooking and having regard to the removal of privacy screens.
- The proposal would have a significant negative impact on the rear of properties facing in Mount Pleasant Square and would lead to overlooking and diminish their privacy.
- The revised proposal does not reduce the negative impact of the proposed development.
- Concern regarding the impact of construction including working hours.

#### Impact on the character and amenities of the area

- The proposal will impact adversely on the character of the existing historic building which makes a positive contribution to the streetscape.
- It will impact adversely on the character of the area and the amenities of the adjoining Z2 residential/conservation area.
- Grafton Architects have acted for the design of Hall House on 28a Lower Mount Pleasant Avenue and are concerned at the scale and design of the proposed development.
- There is no justification for a four storey development on this site. There is no other 4 storey development in the immediate vicinity and this would set a precedent.
- The proposal would constitute backland development.
- They object to the number of apartments proposed. A smaller scale development with may be more acceptable on this site.
- The Rathmines Initiative requests the Board to dismiss this appeal and they refer to their observation made to the original application.

#### Design and Layout issues

- They note that the proposed apartments do not comply with minimum standards as provided in the 2015 Apartment Guidelines.
- The large proportion of 1bed units would provide an imbalance.
- Inaccuracies and inadequacies of the plans submitted.
- They consider that the proposal would lead to an over densification and overdevelopment of the site.
- The reduction in height of rear block may not be feasible having regard to minimum ceiling heights etc. This will still appear as an overly dominant form of development.
- The stairwell proposed will impact negatively on the adjoining residence to the north and on the character of the building in the area.- Fig. 2 of the photomontages refers.
- The proposed ground floor layout does not provide adequately for staff facilities.
- Concerns about the impact of the proposed large dormer construction on the existing roofscape.
- A photographic inventory has not been submitted in accordance with Section 17.10.5 of the DCDP.



- The removal of the window in the p/h frontage would be inappropriate.
- The communal open space would have poor sunlight penetration for future occupiers.
- There is concern as to the users of the refuge store i.e. is it for both the p/h and apartments.
- The apartments are not designed to facility mobility access.
- The Plot Ratio and Site Coverage figures have been under estimated.

#### Traffic and Parking concerns

- The area is already severely congested particularly during rush hour and there is concern about the impact of the proposed parking.
- The proposal to accommodate onsite parking would seriously damage the street frontage.
- The proposed mechanical carparking installation and a new vehicular access would be a potential hazard for pedestrians and traffic.
- The provision of only 2no. parking spaces to serve 7no. dwellings will worsen the already compromised shortfall of parking in the area.
- Public safety and residential amenity will deteriorate. Also they note there are 5no. schools in the area.

## **8.0 PLANNING POLICY**

### ***Dublin City Development Plan 2011-2017***

This is the guiding document and provides details of planning policies and objectives and provides the land use zonings. Chapter 15 provides the Zoning Principles. The site is within residential Z1 zone i.e – *To protect, provide and improve residential amenities.*

Section 11.4.6 refers to the promotion of high quality successful Apartment Living which should be designed as an integral part of the neighbourhood. Policies QH15 and QH16 refer to the promotion of high standards for sustainable apartment development and QH17 supports the necessary infrastructure.

Chapter 16 refers to Design and Connectivity of the Public Realm, Urban form and Architecture. This includes Guiding Principles for all new Developments, such as sustainable site design and regard to SUDS.

Chapter 17 includes the Development Management Standards and has regard to Design, Layout, Mix of Uses and Sustainable Design.

The Development Management Standards include:

- Indicative plot ratio for Z1 zone is 0.5 - 2.0
- Indicative site coverage for the Z1 zone is 45-60%
- 10% public open space is required in respect of residential developments
- 12-15 sq.m private/communal open space per bed-space is required to serve apartment developments in suburban areas.
- 1 car-parking space per apartment in the Development Plan Parking Area 2
- 1 bicycle-parking space per dwelling.

Section 17.6 refers to Building Height in a Sustainable City and S.17.6.2 provides a definition of such heights.

Section 17.9.1 provides the Residential Quality Standards including having regard to Apartments.

Section 17.9.7 supports sustainable Infill Housing which while generally supported should also comply with standards for residential development. It includes support for the development of derelict or underused sites.

Table 17.1 provides the Car Parking Standards for Various Land-Uses and Table 17.2 the Cycle Parking Standards.

Appendix 1 provides a Schedule of Non-Statutory Plans i.e: *Plans are used for development management and planning guidance purposes* and this includes:

#### Rathmines Local Action Plan

The plan states that Rathmines has a significant architectural heritage which contributes to a unique and distinctive character. Map 6.4 identifies the appeal site as a building of significant architectural merit. The plan refers to a Dublin City Council objective to encourage the sustainable and creative reuse of older buildings within Rathmines. It also provides that a strategic objective is: *to give high priority to the creation of quality design with a particular emphasis on conservation.*

#### ***Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, 2009***

These seek to encourage high quality sustainable residential development, urban form and design. They are concerned to promote a sequential approach to development and to create an overall design framework with linkages to the existing developed area. They support Local Area Plans and the phasing of development, also having regard to the availability of infrastructure. Regard is had to the availability of community facilities, public transport and the quality of open space. Chapter 3 concerns the role of design and has regard to the context and quality of the development proposal. Chapter 4 provides for planning for sustainable neighbourhoods and has regard to public open space, traffic safety, drainage issues etc. Chapter 5 refers to Cities and Larger Towns (i.e towns with 5,000 or more people) and provides the criteria for appropriate locations for higher density developments. Section 5.9 refers to Inner suburban/infill sites and has regard to residential infill. Chapter 7 concerns the home and its setting and discusses issues such as daylight, sunlight, privacy, open space and communal facilities.

Regard is had to the accompanying DOEHLG 'Urban Design Manual-A best practice guide 2009' and to the 12 criteria to promote quality sustainable urban design discussed in this document. Regard is also had to the application of these criteria, which are divided into three sections: Neighbourhood/ Site and Home reflecting the sequence of spatial scales and order of priorities that is followed in a good design process.

### ***Sustainable Urban Housing Design Standards for New Apartments 2007***

This provides guidelines on the design and layout of new apartments to ensure that they provide satisfactory living accommodation. This also includes guidance on daylight and sunlight, communal and private open space and recreational needs. The Appendix includes recommended minimum floor areas and standards.

### ***Updated Apartment Guidelines 2015***

Note is had to Circular letter PL 1/2016 where regard is had to these updated guidelines. The purpose of these guidelines includes; to enhance the viability of new apartment construction, ensure consistency, as regards the minimum planning requirements and expand the provisions of the 2007 guidelines on qualitative aspects concerning areas such as amenities, provision of play facilities, cycle parking and related matters. The focus of this guidance is on the apartment building itself and on the individual units within it.

The guidelines have been prepared taking account of related provisions of the Planning and Development (Amendment) Act 2015, which amended Section 28 of the Act as regards Ministerial Guidelines distinguishing between 'specific planning policy requirements' which must be applied by planning authorities and other aspects that planning authorities must also have regard to, in the exercise of their functions.

### ***Design Manual for Urban Roads and Streets 2013***

The DMURS document must be taken into consideration in examining planning applications. Within the DMURS document the application of the principles to existing streets must require a flexible approach. The document calls for a safer more attractive and vibrant street and the creation of a permeable network from a multi-layered process. The process should begin with a site analysis that identifies any constraints the proposal may have on the existing network, including points of access, major destinations and strategic connection (existing and proposed). The street hierarchy in terms of trips generated, access etc.

### ***Architectural Heritage Protection Guidelines for Planning Authorities issued by the DoEHLG in 2004/2011***

This has regard to development within Protected Structures and within an ACA. A Protected Structure includes the interior of the structure and all fixtures and features which form part of the interior or exterior and within the curtilage of the structure. An ACA is used to protect groups of structures of distinctiveness or visual richness or historical importance including the setting of Protected Structures where it is more extensive than its curtilage.

Chapter 6 provides policies and objectives for Development Control, which seek to ensure the protection of the architectural heritage so that these structures retain their character and special interest and continue to contribute to the social and economic mix of the area. This also provides that any proposed change of use should be carefully considered and its implications for the fabric and character of the structure. The Conservation Principles provide that it is generally recognised that the best method of conserving a

historic building is to keep it in active use. The sensitive restoration of the character of a Protected Structure is also supported.

Part 2 includes Detailed Guidance Notes relative to works to the Interior and Exterior and Access to Protected Structures. Chapter 13 refers to *Curtilage and Attendant Grounds* and Chapter 16 refers to *Making Good Disaster Damage*.

## **9.0 ASSESSMENT**

### **9.1 Principle of Development**

The site is zoned 'Z1': *To protect, provide and improve residential amenities* in the Dublin City Development Plan 2011-2017. As shown on Land-use zoning Map H it is also in proximate to the Z2 residential/conservation area and located adjacent to Protected Structures in Mount Pleasant Square. Section 11.4.6 of the Plan refers to successful apartment living. Policy QH15 seeks: *To promote the provision of high quality apartments within sustainable neighbourhoods*. Regard also needs to be had to Section 17.9 which sets out the DCDP Standards for Residential Accommodation including apartments. There is concern that the proposal would not comply with Section 17.9.1 of the DCDP which provides the Residential Quality Standards. Part A2 refers specifically to criteria relative to apartment development in addition to A1 which refers to all residential development. Regard must also be had to *Sustainable Urban Housing: Design Standards for New Apartments 2015* which provide updated guidelines on minimum standards for apartment development.

The Observers consider that this proposal represents an overdevelopment of this confined site area, involves the partial loss of the public house and undesirable alterations to this historic building, and that the scale, height and massing of the proposed extensions and alterations are excessive and would not be in character with and would detract from the amenities of this more traditional and sensitive residential area. In this regard Section 5.9 of the *Sustainable Residential Development in Urban Areas 2009* is of note in that it refers to infill development i.e: *In residential areas whose character is established by their density or architectural form a balance has to be struck between the reasonable protection of the amenities and privacy of adjoining dwellings, the protection of established character and the need to provide residential infill*. Note is also had of Section 17.10.5 of the DCDP which refers to the Retention and Re-Use of Older Buildings of Significance which are not Protected and provides that such: *is a central element in the conservation of the built heritage of the city and important to the achievement of sustainability*.

In response the First Party provides that the proposed development represents a more sustainable use of this site which presents a complex and difficult context, provides a sensitive refurbishment of the existing building, including retention of part of the public house and does not detract from the existing building or contravene policy for sustainable development. It provides a development of high quality design and layout including in the contemporary new build which integrates well into the streetscape and does not impact adversely on the residential amenity or the character of the area. The proposed development seeks to meet the projected demand for smaller

housing units that will compliment and improve the range and mix of dwelling units in the area.

In this case having regard to the residential land use zoning it is considered that the principle of such development is acceptable on this site. The issue is whether the partial loss of the public house and the scale of the proposed extensions including at roof level to this landmark building and in the new block at the rear are considered to be of high standard to integrated well and be sustainable. Regard is had to issues of intensification of the use of the site, design and layout including the modifications to the design submitted by the First Party, access and parking and to other issues raised by the Parties. There is also a need to ensure that the proposed development would not have an adverse impact on the character and amenities of both the adjacent properties including the protected structures in Mount Pleasant Square and of the surrounding area and would be in the interests of the proper planning and sustainable development. These issues are discussed in more detail in the Assessment below.

## **9.2 The current and proposed usage**

This proposal is for a large scale redevelopment of the existing site, involving refurbishment and extensions to the existing building and extensions to provide duplex accommodation at the rear. The development footprint of the existing building will remain unchanged and a new building is proposed to the rear of the site which will comprise 2x2 bed apartments spread over 3 levels. This proposal includes a considerable reduction in the floor area of the licensed premises 'Corrigan's Public House', which presently is in operation and takes up/along with associated stores, the ground floor area. To the front of the site 2 new parking spaces are to be incorporated which will reduce the total bar area on ground floor. It is noted that the remaining part of the licensed premises has no provision for staff facilities and WCs are shown opening directly off the bar/café area.

The existing plans also show 2no. 2bed apartments at first floor level. A small office area is shown at the rear and storage rooms and offices at second floor levels. The existing stores are at ground floor level where there is currently no residential accommodation and Roof Plan is shown of the third floor level. The Sections showing the existing floor plans show the three storey nature of the existing premises and the single/part low two storey profile of the sheds at the rear. Therefore the existing building is currently in greater mixed use with the public house on ground floor and apartments and offices above. The buildings at the rear are very much subsidiary to the main building.

It is submitted that the existing layout of these units, over the Public House below, is an ad-hoc, unapproved 2no. bedroom arrangement and is unacceptable and unsustainable. There is an untidy arrangement of sheds and buildings in poor repair at the rear. Also, that the proposed development represents a reorganisation of the existing buildings on site to provide for a more sustainable and appropriate use of development. This proposal will mean that there will be a considerable increase in usable residential floor area, including the provision of a third floor to the existing building and that the primary use on this site is residential i.e the no. of apartments on site will

increase from 2no to 7no. with a significantly reduced public house area on ground floor and no office accommodation.

It is provided that this proposal supports policy regarding the provision of residential units above ground floor premises. It is also submitted that the proposed development site is located proximate to the Rathmines District Centre and conveniently located close to a significant centre of neighbourhood facilities and transportation links. It is noted that this District Centre is not immediately adjacent and is a walk away and the site currently includes the Public House on ground floor level and there is a local corner shop at no.25 Lower Mount Pleasant Avenue/Corner of Richmond Hill, where it is proposed to build a 4 storey residential block (current appeal Ref. PL29S.246213 relates).

### **9.3 Design and Layout**

It is submitted that in terms of spatial layout and design, ancillary features and external outdoor space the current accommodation to be provided within the development, through fulfilling an immediate local need is to an acceptable standard. Also that each unit is designed having regard to the DECLG Apartment Design Guidelines 2015 standards. The Planning Report submitted with the application provides a detailed description of each of the 7no. apartment units. It is also provided that the units are further supported by associated ancillary facilities provided by the development in terms of refuse and bicycle storage and both shared and private external outdoor space. A further detailed description is given of the building and of the context of the proposed development in the First Party grounds of appeal.

It is noted that the proposed development while it aims to be integrated is seen in two parts i.e. the works to the existing historic building, and the new build proposed at the rear. The proposed extension to the rear comprises a block separated from the rear façade of the existing structure. A four storey central stair element is proposed that extends beyond the rear building line. It is provided that this will be significantly smaller in floor plate than the existing annex immediately to the rear of the existing structure. The central stairwell in the existing building is to provide access to those apartments. The duplex/triplex apartments in the rear block are accessed via a shared courtyard area that separates the existing structure and the proposed extension.

Regard is had to the design and layout of the 7no. apartments. Apartments A and B are 1no. bedroom (facing internal courtyards) and are shown with the living areas facing the street frontage at first floor level. Apartment nos.C and D are also 1no. bedroom with similar facings at second floor level. There is also a triplex apartment 2no. bed apartment G which is at the rear at first, second and third floor levels. Apartment E is a 2no. bedroom 'loft' apartment at third floor level. Terrace and shared courtyard areas are shown as private and communal open space. The ground floor plans show a living room area for Duplex Apartment F at the rear adjacent to the other uses. The two bedrooms for this apartment are shown on the first floor. Part of the ground floor is to be used as garage and a separate bike storage and refuse area are also shown.

A Schedule of Accommodation has been provided in Appendix D of the documentation submitted by the First Party. This provides that apartments A,B,C,D, are within the existing building, E is within the new third floor level and F and G are within the extension block to the rear of the existing building.

The proposed floor area for each apartment is as follows:

Apt. A	Apt. B	Apt. C	Apt. D	Apt. E	Apt.F	Apt.G
1 bed	1 bed	1 bed	1 bed	2 bed	2 bed	2 bed
41.9sq.m	42.7sq.m	41.9sq.m	42.7sq.m	71.4sq.m	83.3sq.m	90.5sq.m

Section 17.9.1 (A1) of the DCDP 2011-2017 provides the minimum floor area for residential development is 1 bed 55sq.m, 2 bed 80-90sq.m and 3 bed unit100sq.m. Regard must now be had to the updated Apartment Guidelines 2015 and these provide minimum unit sizes of 45sq.m (1 bed), 73sq.m (2 bed) and 90sq.m (3 bed). It is noted that apartments A – E are below these minimum floor areas. These Guidelines also provide: *The majority of apartments in all schemes must be larger than the national minimum standard (At least 50% of apartments must be minimum of 10% larger than the minimum floor areas specified under the guidelines).* The proposed new apartments exceed the minimum floor areas.

The First Party submits that though below the existing guidelines for the one bedroom units that the proposed floor area and associated design is in accordance with DCDP policy for ‘Living Over the Shop’ – Policy QH21 provides: *To resist the loss of residential use on upper floors and actively support proposals that retain or bring upper floors above ground floor premises into residential use.* They also consider that some relaxation of standards should be allowed relative to the refurbishment of the existing building. They provide that the apartments are dual orientated and have been designed to enhance the spatial quality of the units.

Having regard to external finishes it is proposed to use a palette of red brick and aluminium with the former being the primary material to integrate the proposed development with the existing. A copper clad dormer extension is proposed set back at the new third floor level.

#### 9.4 Modifications proposed

In response to the Council’s refusal the First Party appeal provides a list and review of modifications, to the proposed design and layout and include revised drawings in Appendix G. These include the following:

- Modification of the ground floor to provide 2 car parking spaces (Option1).
- Alternatively modifications to the ground floor to omit the car parking from the site (Option 2).
- As a consequence of the above the provision of an entrance space/communal area and provision of laundry, and designated storage area at ground floor.
- Reconfiguration of the duplex unit to the north east to enhance the amenity of this unit, in particular the open space.

- Review and reduction in the overall height of the extension to the rear, to reduce the scale of the development (from 12.76m to 11.35m).
- Reduction in the extent of privacy screens (the impact of this is shown on the elevations submitted).

It is noted that if Option 2 is permitted (which eliminates the on-site parking and retains the front window of the p/h) the plan is to provide designated storage areas and a laundry room at ground level in order to enhance the extent of floor area provision and the quality of the unit. It is also noted that in that case the plans show that a 'general entrance hall' is introduced.

It is considered that if the Board decide to permit that a condition should be included to provide for these modifications, including Option 2. However the issue is whether these are considered sufficient to improve the overall impact of the scheme to provide for a development that does not detract from the character and amenities of adjoining properties and the character of the existing landmark building and the area.

## **9.5 Impact on adjacent properties**

It is submitted that the proposed units are designed in accordance with the spirit and confines of the DCDP paying particular attention to Section 11.4.2 which provides for sustainable residential development at higher densities creating a consolidated urban form. Also the context of QH3 (to encourage mixed use sustainable development) and QH14 (refers to apartment management). It is provided that an extensive composition of privacy screens will be used and that the design allows for precise locations of fenestration. Also that the units have little or no impact on adjoining properties in terms of overlooking, overshadowing or residential amenity generally within both the proposed development and in the immediately adjoining units.

Regard must be had to the Development Management Standards taking into consideration issues such as Plot Ratio, Site Coverage and Building Height. Section 17.4 of the DCDP provides that the indicative Plot Ratio for residential areas within the Z1 land use zoning is 0.5 – 2.0. As given on the application form the proposed plot ratio is 1:89:1, the existing plot ratio is 1.85:1 (i.e: 366.3sq.m (existing to be retained) plus 169.6sq.m (to be demolished) 535.9sq.m in total). It is noted however that as given the total site area is 289sq.m and the total floor area of the proposed development existing to be retained and proposed is given as 629.7sq.m therefore the proposed plot ratio would appear to be greater i.e. c.2.17. It is noted that the Plot Ratio Table provided in S.2.4 of the grounds of appeal provides a g.f.a of 546.2sq.m for the proposed development which would provide a plot ratio of 1.81. which would be slightly less than the existing plot ratio. It appears that this may be an under estimate and would not be in accordance with the figures given on the application form for the existing and proposed development i.e 629.7sq.m. Therefore it appears that the proposed plot ratio exceeds the indicative plot ratio. Section 17.4 provides that in certain cases the plot ratio may be exceeded, this includes cases where the site already has the benefit of a higher plot ratio, is close to public transport termini and corridors, where an appropriate mix of commercial and residential is proposed, and to maintain existing streetscape profiles.



Section 17.5 of the DCDP provides that indicative Site Coverage for the Z1 area is 45-60%. The current proposal is to provide 75% site coverage, which reduces the existing site coverage of 100%. Having regard to the plans submitted this would appear to be a low estimate and allow for the internal courtyard areas. The Observers are concerned that this is excessive and that no rationale has been given for exceeding this and Plot Ratio standards. The more recently developed neighbouring mews building in Bessborough Parade exceed the range at 100% site coverage. The First Party note that the standards set out in the development plan are indicative only and consider that the proposed site coverage is acceptable in this area. They consider that the quantum of development is acceptable as it achieves a high quality of architectural design and the proposed dwellings offer a high level of residential amenity.

There is concern about the height of the proposed building. Section 17.6 of the DCDP refers to Building Height and notes: *Different character areas will require different approaches to the issue of building heights.* The issue is whether the height of the existing public house which provides a landmark historic building in the area would be exceeded. Section 17.6.2 allows for up to 4 stories residential i.e below 13metres in height in this outer city area. As shown on the drawings the existing ridge height of this 1910 building is 13.4m, so is marginally above this. The Sections submitted show that the new dormer roof level will be 13.65m and the dormer head level is 13.9m, so will appear as an infill and is slightly above the existing apex of the pitched roof. The height of the proposed new build 3 storey block at the rear is shown. There is concern that the proposed rear block appears overly dominant and out of scale with the existing building and the low level terrace to Bessborough Parade. The revised plans show the height of the proposed block at the rear reduced from 12.76m to 11.35m, which will assist in reducing the dominance of the rear block in what could be seen as a form of backland development.

## **9.6 Open Space provision**

The public and private open space provided is assessed in the context of the DECLG Apartment Design Guidelines 2015 and regard is also had to 2007 Guidelines relative to private open space minimum standards. It is provided that each apartment benefits from private open space in the form of balconies directly accessible from living/or bedrooms. It is noted in the Schedule of Accommodation given in the Appendix D of the First Party Appeal submission. This includes that the private amenity open space given for the 1bed apartments is marginally lower than the standards and is significantly lower for the 2bed apartment E. However it is greater for the duplex apartments F and G. The applicants request that there should be some relaxation in the standards in this case and note the constraints of the existing building and the site. They consider that modifications to the layout enhance the spatial arrangement of the units.

The design of the one bedroom apartments is to allow the bedroom to be used as living space during the day with a fold up 'Murphy bed' proposed. This will mean that the proposed balconies will be connecting to the living space of the apartments. There is concern that the provision of open space is

deficient. It is questionable as to whether 'Murphy beds' are desirable for less than minimum standard one bedroomed apartments where access to the balcony area is via the bedrooms. It is noted that the *Sustainable Urban Housing: Design Standards for New Apartments Guidelines 2007* (which are still relevant to private open space standards) provide in Section 4.4 *Balconies should be accessed from living rooms not balconies*.

The loft apartments within the proposed extension benefit from large terraced areas. It is provided that the open space provision for the proposed duplex and triplex accommodation at the rear complies with standards, and that all this new build will benefit from good quality sunlight and daylight.

A shared courtyard space is central to the plan and the revised plans show that this comprises 30sq.m. There is concern that the height, massing and proximity of the new block to the existing building will make for poor sunlight penetration to the communal open space. There is also a courtyard shown at ground floor level of 13sq.m. However it appears that this area relates to provision for apartment F, rather to the rest of the apartment development. It is noted that new communal open space standards are given in the *Apartment Guidelines 2015*. Based on these standards and having regard to the Schedule of Accommodation and the no. of apartments i.e. 4no.1 bed, 3no.2 bed this would imply that 41sq.m of communal open would be required for these apartments. Therefore the communal open space to be provided is deficient. The First Party provide that it is not intended that this scheme meets the public open space provision but that they would be prepared to accept a condition to contribute to public open space. They also note that there are a number of public open spaces in the wider area.

## **9.7 Overlooking and Overshadowing issues**

One of the Council's reasons for refusal refers to the impact of the proposed development on adjoining neighbours with regard to overshadowing and overlooking. The upper levels of the existing building have been in use as offices so active overlooking is confined to working hours and therefore minimised. There is concern that the conversion of the roof level to additional loft accommodation would give rise to increased overlooking to the detriment of residential properties in the area. The First Party provide that screens will be provided to protect privacy and prevent overlooking. The revised plans show a reduction in privacy screens. There is concern the removal of privacy screens particularly for properties to the north will lead to further overlooking. It is also noted that the revised plans (Section C-C) show that a large window in the side elevation is to be omitted. It is recommended that to minimise overlooking and in the interests of the amenity of the area that if the Board decide to permit that a condition be included that the proposed third floor terrace and all balcony areas shall include a 1.8 metres opaque screening to their side boundaries.

The Observations made consider that the proposed development represents an overdevelopment of this confined site area. The adjoining residents in no.28a Mount Pleasant Avenue and the two storey development of Bessborough Parade to the north are concerned about the proposed development being overbearing and the impact of overshadowing and

overlooking issues. It is noted that the photomontages submitted with the application do not show the impact of the development on these properties. There is concern that the height massing and proximity of the new block and staircase to the existing buildings will cause overshadowing and make for undesirable open space for future occupiers – Fig 2 of the Photomontages submitted with the appeal shows a view of this in the streetscape.

In response to Third Party Observations the First Party includes a Shadow Analysis in Appendix E with their grounds of appeal. This is to illustrate the impact of the existing structures on the site and impact of the proposed development. A review of the analysis is included. It is noted that there will be some additional overshadowing from the new block at the rear to the garden of the apartments in Richmond Manor to the south west. It is provided that the shadow analysis demonstrates that there will be some minor impacts but overall the proposed development has a negligible impact on the properties immediately adjoining the proposal. The First Party consider that the modifications proposed in the appeal further reduce this impact.

## **9.8 Access and Parking**

There is an issue with lack of parking provision parking in this area and it is noted that parking on the adjoining streets is restricted. Parking on Mount Pleasant Avenue and in the location of the site is also restricted by double yellow lines. It is provided that due to the site's proximity to the Bus Corridor on the Rathmines Road and the Luas, it is proposed to only provide car parking for the new units within the development, namely the 3no. two bed units. The retained or converted units are then serviced by the extensive public transport links within the immediate vicinity, the provision of bicycle space per unit and the available parking capacity in Richmond Hill. It is noted that the latter is paid parking.

There is concern that this proposal will lead to further parking overspill in the area and in particular in Mount Pleasant Avenue. It is noted that mechanical parking is not normally a suitable type of onsite parking for a residential development of this nature as it is slow to access and is normally only used for office developments. Also that cars entering and exiting such a garage could present a risk to pedestrians. The Council's Road Planning Division noted that details of such were not submitted with the application and recommended that further information be sought on the workings of such within the development and on access and facilities for cycle parking.

The First Party grounds of appeal, has regard to the F.I requested by the Road Planning Division. A review is had of the existing parking requirement and regard is had to Map J in the DCDP which shows the site is located in car parking zone 2 and it is noted that the existing uses require 3no. spaces. Section 17.40 and Table 17.1 of the plan provide the Parking Standards for various land uses. It is noted that the proposed use would require 7no. parking spaces i.e. 4no. spaces more than that required by the existing use. There is no onsite parking available. In view of the site location close to public transport links they provide that it is reasonable to assume that there could be a reduction in car parking spaces. They provide details of and enclose drawings for 2no. car parking options i.e. Option 1 – Provision of two car

parking spaces (mechanical lift operation), Option 2 – Omission of all car parking and reliance on benefit of 3 spaces already generated by the existing development.

The elevations show the 'existing window details revisited' which shows the front window of the public house retained in relation to the internal set back to the bicycle storage area in Option 2. If the Board decide to permit, it is considered that in the interests of retaining the character of the public house that the existing frontage should be retained and it is recommended that Option 2 be conditioned. This would mean that the proposed extended development would have no on-site parking, but it is not considered that Option 1 is a desirable option in this case.

## **9.9 Impact on the Character and Amenities of the Area**

The existing building, though not a protected structure is of historical significance and occupies a prominent position in the streetscape. There is concern that this proposal would impact adversely on this Edwardian Structure, which while not a protected structure is a landmark building in the area. It is considered that together with the landmark building to the north west, i.e. the important visual impact of Rathmines Church which includes a domed feature that the current proposal which includes changes to and increase in roof height of the original 1910 three storey building would detract from the character and visual amenities of the area. Both of these are included as landmark buildings in Map 6.4 of the Rathmines LAP which is referred to in Appendix 1 of the DCDP in the Schedule of Non Statutory Plans i.e: *Plans are used for development management and planning guidance purposes.*

Regard is had to the Photomontages showing views of the existing and proposed development in Appendix F of the First Party submission. They consider that the proposal will rationalise this urban block and improve the appearance to the rear when seen from Richmond Manor. They submit that the proposal represents a rationalisation of the structures on the site and an integration of contemporary new build with the existing structure. They ask the Board to accept the proposal will contribute to the enhancement of the urban streetscape and provide another important addition to the evolution of this block.

It is noted that as shown on the Photomontages the visual appearance of the proposed development will increase the height and massing relative to the existing building. This is particularly relevant to the view shown on Fig. 2 which shows the adjoining lower buildings in Bessborough Parade relative to the side view of the proposed extension. It is noted that photomontages showing a view of the proposed development at the rear and the impact on Richmond Manor or the adjoining terraced properties in Mount Pleasant Avenue to the south have not been included. However as shown on the sections and elevations submitted including the modifications submitted it is considered that the proposed development in particular the new build at the rear will have an adverse impact on the visual amenity of these adjacent properties and not enhance the character and siting of the existing landmark building.

It is submitted that the proposed development will have little formal impact, and that it is to be set back at roof level behind the existing decorative parapet and behind the existing gable and will not be perceivable. However it is considered that the proposed addition of the large dormer construction in blackened copper with terracotta arched features and glazed balustrade would not be appropriate and is out of character with the existing Edwardian period building. It is not subordinate to and would not comply with Appendix 25 (Guidelines for Residential Extensions) Section 11 which provides guidelines for Roof Extensions. It would detract from the character of the building in the streetscape and the vista taking into account the domed Rathmines Church.

It is proposed to maintain part of the extent of the existing public house frontage and street frontage to the lower ground floor, with alterations to provide for a garage door and associated minor fenestration revisions. There is concern that replacing the large ground floor window of the existing public house with a garage door is unacceptable and would be detrimental to the traditional frontage of this Edwardian property. Also that cars entering and exiting such a garage could present a risk to pedestrians. As noted above revised drawings showing Option 2 i.e. to retain the existing frontage are considered to be preferable in the interests of the visual character of the area.

There is concern that the proposal will be unsympathetic to and impact adversely on the character of Protected Structures on the west side of Mount Pleasant Square. This is of historic significance as one of the early 19<sup>th</sup> Century Georgian Squares of Dublin. Also that the proposed development will result in loss of residential amenity to the protected structures of Mount Pleasant Square by reason of overlooking of back gardens and a rear window that forms an important feature of no.28 Mount Pleasant Square. It is considered that the proposal would impact adversely on the rear of residential properties which are protected structures in Mount Pleasant Square. This Georgian Square is one of the few remaining protected Squares in Dublin.

Regard is had to the contextual location of the site and as shown on the land-use zoning map it is noted that the site is located in the Z1 residential zoning. However as shown on Map H of the DCDP it is proximate to the Z2 Residential/Conservation zoning. It is provided in Section 15.10.2 that in such areas: *The overall quality of the area in design and layout in terms is such that it requires special care in dealing with development proposals which affect structures in such areas, both protected and non-protected.* It is also noted that the houses facing Mount Pleasant Square to the east are Protected Structures. It is not considered that this proposal to remove half of the public house shop frontage to convert to garage for the apartment development or the proposed roof extension is acceptable given the existing character of the building in the streetscape.

#### **9.10 Drainage issues**

A Drainage Report has been submitted with the application. A description is given of the drainage network in the immediate vicinity. Appendix A provides a drawing showing the existing L.A drainage network in the vicinity of the site.

In accordance with GSDS they are proposing to separate the new and surface water drainage and foul drainage on site. They provide details of water demand. The proposal is to connect to the existing 375mm diameter combined sewer and this is shown on the drainage drawings submitted.

This notes that the site has an impermeable area of 289sq.m and is unchanged in the proposed new development. It is provided that a rainwater harvesting unit will be used with an overflow to attenuate stormwater. Details are given of stormwater storage Appendix D refers. The proposal is to separate surface water from foul and to utilise rain water harvesting.

The Report notes that the site itself and its immediate surrounds have no reports of flooding. Appendix B provides a Flood Risk Assessment.

The Report concludes that the proposal will increase the foul water discharge from the site however this is compensated for with the inclusion of an attenuation system, the foul and surface water are separate prior to discharge into the public combined sewer. Existing drains will need to be surveyed in order to accurately locate and inspect prior to commencement of the works.

It is noted that the Council's Engineering Department Drainage Division does not object to the proposed development and recommends a number of conditions including the incorporation of SUDS in the management of stormwater. It is recommended that if the Board decides to permit that a Drainage condition be included.

## 9.11 Other Issues

**Construction Works:** The main impact that would arise to the amenities of this area would result from the demolition/construction phase. During these phases the works would inevitably result in noise, dust, building debris and so forth. It is noted that this site is landlocked and that there is no access provided to the rear. There is also potential for obstruction of traffic movements along this busy area both at the junction of Richmond Hill and Mount Pleasant Avenue and of Bessborough Parade during deliveries etc, notwithstanding, such nuisances would be of a temporary nature and would be required to be carried out in compliance with standard codes of practice. It is also standard planning practice to include conditions that seek to minimise such impacts in the event of a grant of permission.

**Development Contribution:** Having examined the terms of the City Council's applicable development contribution scheme it is noted that the proposed development sought under this application is required to pay a S48 financial contribution in the event of a grant of permission.

**Appropriate Assessment:** Having regard to the nature and scale of the development proposed and to the nature of the receiving environment, namely a suburban and fully serviced location, no appropriate assessment issues arise.

## **10.0 CONCLUSION AND RECOMMENDATION**

Having visited the site, had regard to the documentation submitted, planning policies and guidelines, the First Party grounds of appeal including revisions and the Observations made it is considered that the proposed development while acceptable in principle would appear overly dominant and detract from the character of this 1910 landmark building. While the refurbishment of the existing building is supported in the context of Section 17.10.5 of the DCDP, it is not considered that the proposed third floor extension above the existing roof profile of this historic building is acceptable or the proposed omission of the large ground floor 'shopfront' window in the public house. The height, scale and massing of the apartment building at the rear is considered overly large and bulky and not well integrated with the more traditional landmark building. While it is appreciated that this element of the proposed development is for a contemporary build it is considered that it would appear overly large and dominant on the confined subject site. It is noted that the proposed development would not comply with standards in Section 17.9.1 of the DCDP or in the Apartment Guidelines 2007 and 2015. It is considered that it would lead to a substandard form of residential development that would detract from the amenities of future occupiers. It is considered that the proposed development would not be in the interests of the residential amenities and character of the area or provide for proper planning and sustainable development.

It is therefore recommended that this proposal be refused for the reasons and considerations below.

## **11.0 REASONS AND CONSIDERATIONS**

1. Having regard to the design, height, scale and massing of the proposed development relative to the existing historic 1910 landmark building and the established pattern of development in the area; it is considered that the proposed development would detract from the character of this structure and represent an inappropriate refurbishment and abrupt transition in scale and would have an overbearing visual impact on the adjoining residences and properties in Bessborough Parade and Lower Mount Pleasant Avenue and the rear garden area of the apartments of Richmond Manor. The proposed development would, therefore, seriously injure the amenities and character of the area, depreciate the value of properties in the vicinity and would be contrary to Section 17.10.5 relative to the sensitive retention and re-use of older buildings of the Dublin City Development Plan 2011-2017 and Section 5.9 relative to infill development and impact on the character of the area in the Planning Guidelines, Sustainable Residential Development in Urban Areas 2009.
2. The proposed development constitutes an overdevelopment of this confined site and would produce a substandard form of residential development for future occupants that would result in apartments with residential accommodation of poor design and layout and include floor area and open space below minimum standards as set out in Section 17.9.1 of the Dublin City Development Plan 2011-2017 and in the Departmental Guidelines; Sustainable Urban Housing Design

Standards for New Apartments 2015. As such it would set an undesirable precedent for such development and would be contrary to the proper planning and sustainable development of the area.

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Angela Brereton,  
Planning Inspector,  
Date: 3<sup>rd</sup> of June 2016