



An
Bord
Pleanála

Inspector's Report

ABP-304382-19

Development	Construction of 8 no. apartment units.
Location	Rear of, 60-63, Meath Street, Dublin 8
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	2278/19
Applicant(s)	Paul Sweeney
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Paul Sweeney
Observer(s)	Antoinette Roe & Others
Date of Site Inspection	26 th July 2019
Inspector	Colin McBride

1.0 Site Location and Description

1.1 The appeal site, which has a stated area of 0.0446 hectares, is located in The Liberties in Dublin 8. The appeal site is a back land site, which is accessed from Crosstick Alley off Catherine Street/Ash Street. The appeal site is surrounded by a number existing structures including a four-storey block including commercial and residential development fronting Carman's Hall to the south of the site, two-storey dwellings along Ash St. that back onto the eastern boundary of the site and a four-storey structure with a public house at ground floor level and apartments on the upper levels on Meath Street that backs onto the western boundary of the site. To the north of the site is a three-storey apartment block, which is also accessed from Crosstick Alley. The appeal site is a vacant site and has a change in levels with the western part of the site lower than the eastern part of the site.

2.0 Proposed Development

2.1 Permission is sought for the construction of 8 no. apartments in a three-storey detached building , with the top floor set back and the ground floor unit set at a level 1.5m below ground level, to the rear of existing commercial and residential buildings at no.s 60-63 Meath Street. Access to the proposed development is from Crosstick Alley, off Ash Street. The accommodation consists of 3 no. 2 bed units, 1 no. 1 bed units and 4 no. studio units. Balconies are provided to all units above ground level and a roof garden is provided. 18 no cycles spaces are also provided.

3.0 Planning Authority Decision

3.1 Decision

Permission refused based on one reason...

1. Having regard to the overall design and layout of the proposed residential use, and its location within a constrained site area, it is considered that the proposed development would adversely affect the existing residential amenities of the area, It is further considered that the proposed development would provide a poor standard of residential amenities for proposed occupants of the development. As a consequence the proposal would therefore be unacceptable and would set a precedent for other such substandard developments in the area. The proposed

development is therefore considered to be contrary to the provisions of the City Development Plan 2016-2022, and to the proper planning and sustainable development of the area.

3.2 **Planning Authority Reports**

3.2.1 Planning Reports

Planning report (10/04/19): The proposal was considered to be unacceptable in regards to proximity of balconies to adjoining residential development and the sunken nature of the ground floor and impact on natural light to proposed residential units. The proposal was considered to have an adverse impact on adjoining amenities and be of poor standard in regards to the amenities of future residents. Refusal was recommended based on the reason outlined above.

3.2.2 Other Technical Reports

City Archaeologist (06/03/19): Conditions in the event of permission.

Drainage Division (11/03/19): No objection subject to conditions.

Transportation Planning (03/04/19): No objection subject to conditions.

3.3 **Prescribed Bodies**

3.3.1 None

3.4 **Third Party Observations**

3.4.1 A submission was received from Antoinette Roe, 11 Ash Street, Dublin 8.

- The submission makes an objection to the proposed development on behalf of the tenants and residents of Ash Street and the surrounding area. A petition is included with several signatures.

3.4.2 A submission was received from Eoin Moore, 27 Carmans Hall, Tramyard Exchange, Dublin 8.

- The observer lives in a recently constructed apartment block with 12 no. apartment that overlook the site. The proposal balconies would be in close proximity to the bedroom serving the observers apartment and have adverse impact on privacy and residential amenity.
- The proposal would also block natural light and impact on residential amenity and property value.
- The construction impact would be disruptive.
- It is noted that permission was refused previously due to scale and impact on adjoining amenity prior to construction of the Tramyard Exchange development with more grounds for refusal due to the location of additional residential development adjoining the site.

4.0 Planning History

- 4.1 3793/15: Permission refused for the construction of 7 no. apartment units.
- 4.2 2833/08: Permission refused for alterations to previously granted permission ref no. 5487/07.
- 4.3 2472/08: Permission sought for alterations to previously granted permission ref no. 5487/07.
- 4.4 5607/04: Alterations to permitted development under ref no. 5640/03. It appears the appeal site was part of a larger site including the existing development to the east along Meath Street.
- 4.5 5640/03: Changes to previously proposal for 6, 2 bed apartments for which planning was granted to the rear of 60 Meath street, Dublin 8, reg ref 0022/02.

On adjoining sites...

- 4.6 PL29S.302295: Permission granted for the construction of 6 storey building for retail and residential use at 27 Carman's Hall.
- 4.7 PL29S.300529: Permission granted for amendments to permitted development (Ref. 4214/16). Amendments to include: a) the construction of 1 no. three bedroom unit of 112 sqm to fourth floor level only, with private balcony of 41 sqm and b) reduction in area of the communal terrace at fourth floor by 3 sqm at 27 Carman's Hall.
- 4.8 PL29.247548: Permission granted to demolish building and erect mixed use building constructing retail/offices and 6 apartments with balconies on an adjacent site at 27 Carman's Hall, Dublin 8.

5.0 Policy Context

5.1 Development Plan

The relevant Development Plan is the Dublin City Development Plan 2016-2022. The site is zoned Z4 with a stated objective 'to provide for an improved mixed services facilities'.

QH1: To have regard to the DEHLG Guidelines on 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007), 'Delivering Homes Sustaining Communities – Statement on Housing Policy' (2007), 'Sustainable Urban Housing: Design Standards for New Apartments' (2015) and 'Sustainable Residential Development in Urban Areas' and the accompanying 'Urban Design Manual: A Best Practice Guide' (2009).

QH6: To encourage and foster the creation of attractive mixed-use sustainable neighbourhoods which contain a variety of housing types and tenures with supporting community facilities, public realm and residential amenities, and which are socially mixed in order to achieve a socially inclusive city.

QH7: To promote residential development at sustainable urban densities throughout the city in accordance with the core strategy, having regard to the need for high standards of urban design and architecture and to successfully integrate with the character of the surrounding area.

QH18: To promote the provision of high quality apartments within sustainable neighbourhoods by achieving suitable levels of amenity within individual apartments, and within each apartment development, and ensuring that suitable social infrastructure and other support facilities are available in the neighbourhood, in accordance with the standards for residential accommodation.

Section 16.4 Residential Density:

The Regional Planning Guidelines settlement hierarchy designates Dublin city centre and the immediate suburbs as a gateway core for international business, high density population, retail and cultural activities. The guidelines indicate that development within the existing urban footprint of the metropolitan area will be consolidated to achieve a more compact urban form, allowing for the accommodation of a greater population than at present.

The Department of Environment, Heritage and Local Government (DEHLG) Guidelines on Sustainable Residential Development in Urban Areas 2009 supercede the 1999 Guidelines for Planning Authorities on Residential Density. In this context, Dublin City Council will promote sustainable residential densities in accordance with the standards and guidance set out in the DEHLG Guidelines on Sustainable Residential Development in Urban Areas and having regard to the policies and targets in the Regional Planning Guidelines 2010 – 2022 or any Regional Spatial and Economic Strategy that replaces the regional planning guidelines.

Sustainable densities promoting the highest quality of urban design and open space will be sought by the City Council in all new developments. The density of a proposal should respect the existing character, context and urban form of an area and seek to protect existing and future residential amenity. Public transport capacity will also be used to determine the appropriate density allowable.

An urban design and quality-led approach to creating urban densities will be promoted, where the focus will be on creating sustainable urban villages and

neighbourhoods. A varied typology of residential units will be promoted within neighbourhoods in order to encourage a diverse choice of housing options in terms of tenure, unit size, building design and to ensure demographic balance in residential communities.

All proposals for higher densities must demonstrate how the proposal contributes to place-making and the identity of an area, as well as the provision of community facilities and/or social infrastructure to facilitate the creation of sustainable neighbourhoods.

5.2 National Policy

Sustainable Urban Housing: Design Standards for New Apartments-Guidelines for Planning Authorities (March 2018).

Specific Planning Policy Requirement 1

Apartment developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms.

Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence-based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s).

Specific Planning Policy Requirement 2

For all building refurbishment schemes on sites of any size, or urban infill schemes on sites of up to 0.25ha:

Where up to 9 residential units are proposed, notwithstanding SPPR 1, there shall be no restriction on dwelling mix, provided no more than 50% of the development (i.e. up to 4 units) comprises studio-type units;

Where between 10 to 49 residential units are proposed, the flexible dwelling mix provision for the first 9 units may be carried forward and the parameters set out in SPPR 1, shall apply from the 10th residential unit to the 49th;

For schemes of 50 or more units, SPPR 1 shall apply to the entire development.

The Urban Development and Building Height - Guidelines for Planning Authorities (December 2018) build on the wider national policy objective to provide more compact forms of urban development as outlined in the National Planning Framework. It is acknowledged that increasing building heights has a critical role to play in addressing the delivery of more compact growth in urban areas, particularly cities and large towns.

SPPR1:

In accordance with Government policy to support increased building height and density in locations with good public transport accessibility, particularly town/ city cores, planning authorities shall explicitly identify, through their statutory plans, areas where increased building height will be actively pursued for both redevelopment, regeneration and infill development to secure the objectives of the National Planning Framework and Regional Spatial and Economic Strategies and shall not provide for blanket numerical limitations on building height.

SPPR3:

It is a specific planning policy requirement that where;

(A) 1. an applicant for planning permission sets out how a development proposal complies with the criteria above; and

2. the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines;

then the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise.

(B) In the case of an adopted planning scheme the Development Agency in conjunction with the relevant planning authority (where different) shall, upon the coming into force of these guidelines, undertake a review of the planning scheme, utilising the relevant mechanisms as set out in the Planning and Development Act 2000 (as amended) to ensure that the criteria above are fully reflected in the planning scheme. In particular the Government policy that building heights be

generally increased in appropriate urban locations shall be articulated in any amendment(s) to the planning scheme

(C) In respect of planning schemes approved after the coming into force of these guidelines these are not required to be reviewed.

Guidelines on Sustainable Residential Development in Urban Areas 2009

Appropriate locations for increase densities

Public Transport Corridors:

Walking distances from public transport nodes (e.g. stations / halts / bus stops) should be used in defining such corridors. It is recommended that increased densities should be promoted within 500 metres walking distance¹⁸ of a bus stop, or within 1km of a light rail stop or a rail station. The capacity of public transport (e.g. the number of train services during peak hours) should also be taken into consideration in considering appropriate densities. In general, minimum net densities of 50 dwellings per hectare, subject to appropriate design and amenity standards, should be applied within public transport corridors, with the highest densities being located at rail stations / bus stops, and decreasing with distance away from such nodes. Minimum densities should be specified in local area plans, and maximum (rather than minimum) parking standards should reflect proximity to public transport facilities.

5.3 Natural Heritage Designations

5.3.1 None in the vicinity.

5.4 EIA Screening

5.4.1 Having regard to nature of the development comprising of the construction of 8 no. apartments and associated site works, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1 Grounds of Appeal

A first party appeal has been lodged by Paul Sweeney. The grounds of appeal are as follows...

- It is noted that the site is brownfield city centre site and the proposal to maximise its use for residential development is in line with National Guidelines. It is noted that it is proposed to provide a mix of units, which are all dual aspect. The design has regard to adjoining development.
- It is noted that the planning assessment of the development of the finished floor level is not accurate and that there is a slope on the site and that the development is designed taking account of this as well as noting that the ground floor apartments have generous private open space provision.
- It is noted that the development has adequate regard to the amenities of adjoining development and notes that the proposal does not overlook units in the Tramyards with balcony areas located adjacent areas that are circulation area, halls, lift core and stairs. It is note that the relationship between the proposed development and the adjoining development at Tramyards is satisfactory. It is also noted that the rooftop terrace has an enclosing wall of 1.8m around its perimeter.
- Although the proposal does not overlook adjoining development it is noted that the applicant/appellant is willing to omit the rooftop terrace if deemed necessary.
- The appellant has included an analysis of daylight/sunlight/shadow analysis with the appeal submission and would have provided such if requested during the application.
- The appellant notes that the drawings submitted may not have been clear enough and has submitted additional drawings at a different scale to allow for interpretation of the proposal in a clearer manner.
- The proposal is in compliance with the National Planning Framework.
- It is noted that the proposal is compliant with City Development Plan policy in relation to plot ratio, site coverage, private open space.

- The proposal is complaint with and the Sustainable Urban Housing: Design Standards for new Apartments (2018) in relation to unit type, mix and dimension and level of dual aspect units.

6.2 Planning Authority Response

6.2.1 No response.

6.3 Observations

6.3.1 An observation has been received from Antoinette Roe & Others, 11 As Street, Dublin 8.

- The proposal would be injurious to the residential amenities of adjoining properties. The proposal does not meet development plan standards in regards to separation distances and would result in overlooking and overshadowing.
- The mix of units does not meet development plan standards with the inclusion of bedsits only permitted in building to let developments.
- The observer notes that the City Councils assessment of the proposal was highly critical of the quality of the proposal and its impact on the amenities of adjoining properties.
- The observation includes several signatures of residents in the area opposing the proposed development.

7.0 Assessment

7.1 Having inspected the site and associated documents, the main issues can be assessed under the following headings.

Principle of the proposed development/development plan/national policy

Density

Design, scale, and visual impact

Quality of design/residential amenity/development control objectives

Adjoining amenities

Car parking/traffic

Appropriate Assessment

7.2 Principle of the proposed development/development plan/national policy:

7.2.1 The proposal entails the provision of 8 no. apartment units. The appeal site is zoned Z4 with a stated objective 'to provide for an improved mixed services facilities'. The provision of residential development is consistent with the zoning objective of the site and established uses on adjoining sites.

7.2.2 The proposal would entail the provision of additional residential units in a built up area that is accessible by public transport and in walking distance and cycling distance of the city centre. Subject to the provision of development of sufficient quality and with adequate regard to visual and adjoining amenities, the proposal is consistent with national policy as outlined in the policy section above.

7.3 Density

7.3.1 The proposal provides for 8 units on a site with an area of 0.044587 hectares. This gives a density of 179 units per hectare. Development Plan policy and national policy permit for increased densities along public transport corridors. The appeal site is accessible by public transport and is in walking and cycling distance of the city centre.

7.3.2 The Guidelines on Sustainable Residential Development in Urban Areas 2009 note that appropriate locations for increased densities include public transport corridors with it "recommended that increased densities should be promoted within 500 metres walking distance of a bus stop, or within 1km of a light rail stop or a rail station. The capacity of public transport (e.g. the number of train services during peak hours) should also be taken into consideration in considering appropriate densities. In general, minimum net densities of 50 dwellings per hectare, subject to appropriate design and amenity standards, should be applied within public transport corridors, with the highest densities being located at rail stations / bus stops, and

decreasing with distance away from such nodes. Minimum densities should be specified in local area plans, and maximum (rather than minimum) parking standards should reflect proximity to public transport facilities”.

7.3.3 I would consider that the site is an appropriate location for higher densities and that such should not be below 50 units per hectare. The density proposed is above 50 units per hectare and is acceptable subject to the proposal being satisfactory in terms of design, scale, adjoining amenity and compliance with development management standards. These aspects of the proposal shall be assessed in the following sections of this report.

7.4 Design, scale, and visual impact:

7.4.1 The proposed development is a three-storey block. The back land nature of the site would mean it would not be highly visible in the surrounding area with existing four-storey development to the south, west and three-storey development to the north. To the east is two-storey development along Ash Street however the proposed block has a lower ground floor level than the existing dwellings. I am satisfied that any views of the proposal would be partial views and the fact that the proposal is surrounded by adjoining development that in most case is higher, the proposal would be acceptable in the context of the visual amenities of the area.

7.4.2 The design and external finishes of the proposed block are in keeping with that of existing apartment development in the vicinity of the site notably to the south along Carman’s Hall and to the north off Crosstick Alley. I would consider that the design and external finishes proposed are acceptable in the context of the visual amenities of the area.

7.5 Quality of design/residential amenity/development control objectives

7.5.1 The proposal is for 8 no. apartment units. The mix of units proposed include 4 no. studio apartments, 3 no. two-bed units and 1 no. one-bed unit. The relevant and most up to date standards for apartment development are the Sustainable Urban House: Design Standard for New Apartments (March 2018). In relation to minimum apartment size the requirement is 45sqm, 73sqm and 90sqm for 1, 2 and 3 bed apartment units respectively and 37sqm for a studio apartment (SPPR3). All units

proposed exceed the minimum standards and in a lot of cases are in excess of the minimum standards. In terms of the mix of units I would refer to SPPR 2, Specific Planning Policy Requirement 2 which notes that in the case of “urban infill schemes on sites of up to 0.25ha” that “where up to 9 residential units are proposed, notwithstanding SPPR 1, there shall be no restriction on dwelling mix, provided no more than 50% of the development (i.e. up to 4 units) comprises studio-type units”. The proposed unit mix is therefore compliant with the Sustainable Urban House: Design Standard for New Apartments (March 2018).

7.5.2 Under the same guidelines “it is a policy requirement that apartment schemes deliver at least 33% of the units as dual aspect in more central and accessible and some intermediate locations, i.e. on sites near to city or town centres, close to high quality public transport or in SDZ areas, or where it is necessary to ensure good street frontage and subject to high quality design. Where there is a greater freedom in design terms, such as in larger apartment developments on greenfield or standalone brownfield regeneration sites where requirements like street frontage are less onerous, it is an objective that there shall be a minimum of 50% dual aspect apartments. Ideally, any 3 bedroom apartments should be dual aspect”. In this case all 8 of the units are dual aspect, however I would question the overall quality of the development due to its back land location and its constrained setting due to existing development surrounding it. In particular I would note that the outlook of the apartments proposed are constrained and confined mainly to a northerly aspect (first and second floor units). The arrangement of the windows on the western elevation with opposing bedroom windows and a small balcony is of very poor quality and indicative of the fact the site is a constrained back land site.

7.5.3 Appendix 1 contains minimum standards for private amenity space with a requirement of 5sqm, 6sqm and 9sqm for 1, 2 and 3 bed apartment respectively and 4sqm for a studio apartment. A minimum depth of 1.5 metres is required for balconies, in one useable length to meet the minimum floor area requirement under these guidelines. These standards are met in all cases. The apartments also meet all relevant standards in relation of internal storage space, ceiling heights, room dimensions outlined in Appendix 1 of the guidelines. Some of the private open space areas are located at a low level and constrained in terms of natural light (on the western elevation and ground floor level on the northern elevation).

7.5.4 The guidelines note that “communal amenity space may be provided as a garden within the courtyard of a perimeter block or adjoining a linear apartment block. Designers must ensure that the heights and orientation of adjoining blocks permit adequate levels of sunlight to reach communal amenity space throughout the year. Roof gardens may also be provided but must be accessible to residents, subject to requirements such as safe access by children. These facilities offer a satisfactory alternative where climatic and safety factors are fully considered, but children’s play is not passively supervised as with courtyards. Regard must also be had to the future maintenance of communal amenity areas in order to ensure that this is commensurate with the scale of the development and does not become a burden on residents”. It is also noted that that “for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, communal amenity space may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality”. The City Development Plan (Section 16.10.3) notes in relation to public open space that that “in new residential developments, 10% of the site area shall be reserved as public open space”.

7.5.5 It is proposed to provide a communal open space area on the roof space of 43sqm. The total area of public open space is marginally under 10% of the site area as required under Development Plan policy. I would acknowledge that the site is a small infill site below 0.25 hectares, I would however consider that public open space is of poor quality.

7.5.6 Permission was refused based on the quality of the development and in particular the issue of light to the apartments due to the location of the ground floor sunken 1.5m below ground levels. There are 3 units at ground floor level, 2 no. studio apartments with their main orientation east and a 2 bed unit with its main orientation north. There is a change in ground level on site with the western section lower than the eastern section with a difference of approximately 1.5m. The finished floor level of the units at ground floor level are based on the lower level of the site at the western part of the site meaning that the units on the east of the building have a lower finished floor area than the eastern part of the site. The decision to refuse cites this sunken nature of the units in terms of lack of light and low quality. I would agree with this assessment and note that the back land nature of the site severely

constrains the outlook of the proposed units with the ground floor units mainly orientated east and at significantly lower ground level than adjoining development to the east and the two-bed unit at this level is orientated north and would be deficient in terms of natural light. The units at first and second floor level are all orientated northwards and as noted above the arrangement of the windows serving the bedrooms on the western side of the block is a very poor standard of layout and one which should not establish a precedent and is an indication of difficulties that this site poses. I would consider that the overall quality of the proposed development to be substandard and would be deficient in terms of natural light and good quality amenity space in terms of public open space and general outlook. Despite compliance with SPPR2 of the apartment guidelines in regards to housing mix, I would be of the view that the overall quality of the development is substandard in regards to the mix and layout of the units proposed (significant percentage of studio apartments) particular in the context of the constraints of the site and restricted outlook of the apartments proposed. I would consider that having regard to the back land and constrained nature of the site, that the proposed development provides for a development that is substandard in terms of the outlook of the units proposed, natural light and amenity space. This taken in conjunction with the high percentage of the development dedicated to studio apartments would give rise to a substandard development of a poor standard in terms of the residential amenities of future residents as well as setting a precedent for such development at other locations within the city. The proposed development, would, therefore be contrary to the proper planning and sustainable development of the area.

7.6 Adjoining amenities:

7.6.1 As noted in the previous sections of this report the site is surrounded by existing development on all sides. It was noted in the reason for refusal that the proposal would affect the residential amenities of the area. To the east of the site are existing dwellings along Ash Street, which are two-storey dwellings that back onto the eastern boundary of the site. These dwellings have small yard areas to the rear and in some case first floor terraces/balconies. I am satisfied that the design and scale of the proposal has adequate regard to amenities of these properties in that there are no windows above ground floor level on the eastern elevation and the ridge height of the proposed block is below that of the existing dwellings along Ash Street.

- 7.6.2 To the north of the site is a three-storey apartment block accessed from Crosstick Alley. The proposed development is a reasonable distance from this block with a parking area located adjacent the northern boundary of the site. Despite the fact that the northern elevation has most of the windows the degree of separation between the proposed development and the adjoining development to the north is sufficient to protect residential amenity.
- 7.6.3 To the south of the site is a recently constructed four-storey development (Tramyard Exchange) consisting of commercial units at ground floor level (currently vacant) with apartments on the first, second and third floors. The existing block has a predominantly blank elevation facing the site (northern elevation). There are windows in this elevation facing north, but such are located at the north western corner and are offset from the proposed structure. I would consider that there is sufficient separation the proposed development including the windows and associated balconies proposed on the western elevation and the windows in the northern elevation of the existing development to the south.
- 7.6.4 To the west of the site is a four-storey structure fronting Meath St with a public house at ground floor levels and three levels of residential development above (apartment units). The appeal site appears to be part of the same landholding as the existing structure to the west and is likely to have been a space associated with the existing structure to the west. The eastern elevation of the existing building has a number of apartment units whose main outlook is eastwards and over the appeal site. This façade is right up to the boundary of the site. The proposed block is located too close to the façade of the structure to the east and the provision of balconies on the western elevation would allow for overlooking of windows on the eastern elevation of the existing structure. The relationship between the proposed development and the structure on the adjoining site to the east is unacceptable and would have an adverse impact on the amenities of existing apartments in terms of having a physically overbearing impact as well allowing for reduced privacy and loss of natural light. The proposed development would be seriously injurious to the residential amenities of the adjoining property.

7.7 Car parking/traffic:

7.7.1 The proposal is for two additional floors and 8 no. apartment units. The proposal does not entail the provision of car parking. For the purpose of Development Plan policy the site is located in Area 1 where the maximum development plan standard for car parking is 1 space per residential units as set down under table 16.1. These are maximum standards and no minimum standards are provided. Maximum standards allow for consideration of the location of the development in the context of how central it is, its accessibility to public transport and for other modes of transport such as pedestrian and cyclists. I would consider that based on the location of the site a short distance from the city centre and its accessibility to public transport (bus) and in walking and cycling distance of the city centre, the site is not totally dependent on car transportation. In this regard I would consider that a shortfall from maximum parking standards is justified and would note that the site would not lend itself to the provision of parking due to its area and configuration.

7.8 Appropriate Assessment:

7.8.1 Having regard to the nature and scale of the proposed development and its proximity to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

8.1 I recommend refusal based on the following reasons.

9.0 Reasons and Considerations

1. Having regard to the back land and constrained nature of the site, the proposed development provides for a development that is substandard in terms of the outlook of the units proposed, deficient in access to natural light/outlook and amenity space. This taken in conjunction with the high percentage of the development dedicated to studio apartments would give rise to a substandard development of a poor standard in terms of the residential amenities of future residents as well as setting a precedent for such development at other locations within the city. The proposed development,

would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed block is located too close to the façade of the structure to the east and the provision of balconies on the western elevation would allow for overlooking of windows on the eastern elevation of the existing structure. The relationship between the proposed development and the structure on the adjoining site to the east is unacceptable and would have an adverse impact on the amenities of existing apartments within the existing structure in terms of having a physically overbearing impact as well allowing for reduced privacy and loss of natural light. The proposed development would be seriously injurious to the residential amenities of the adjoining property and would, therefore, be contrary to the proper planning and sustainable development of the area.

Colin McBride
Planning Inspector

31st July 2019