



An  
Bord  
Pleanála

## Inspector's Report

### ABP-304886-19

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<b>Development</b>	Phased demolition of community centre, construction of 32 apartments, mixed-use development comprising new Ballyfermot United Sports & Social Club
<b>Location</b>	2, Blackditch Road, Dublin 10, D10 W738
<b>Planning Authority</b>	Dublin City Council South
<b>Planning Authority Reg. Ref.</b>	4008/18
<b>Applicant(s)</b>	Three Castles Investments
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Stephen White
<b>Observer(s)</b>	None

**Date of Site Inspection**

7<sup>th</sup> October 2019

**Inspector**

Irené McCormack

## 1.0 Site Location and Description

- 1.1. The appeal site is located on the north side of Blackditch Road, close to the junction with Le Fanu Road opposite Ballyfermot Leisure Centre, to the rear of Ballyfermot Main Street. Ballyfermot is a suburb of Dublin, located seven kilometres west of the city centre, south of the Phoenix Park, c. 1.6km east of the M50. The site has a stated area of 0.1983 hectares.
- 1.2. The site comprises the single storey club house of the Ballyfermot United Sports and Social club and an adjoining two storey structure. These buildings are not Protected Structures.
  - 1.2.1. The Ballyfermot District Centre radiates north and east of the site and includes a range of retail, residential and community uses.
- 1.3. The site is reasonably well served by public transport. Dublin Bus Service runs a number of routes through the village and Kylemore Luas Stop is located c. 1.7km south of site.

## 2.0 Proposed Development

- 2.1. The development comprises:
  - (i) The phased demolition of the existing single storey, flat roof, community centre.
  - (ii) The construction of 4 no. three-storey apartment blocks comprising 32 apartments (8 no. one-bedroom and 24 no. two-bedroom).
  - (iii) ground floor (street level) mixed-use development (1046 sq.m) comprising new Ballyfermot United Sports & Social Club with ancillary bar and function room and ancillary uses with 11 no. car parking spaces and 15 no. bicycle parking spaces to serve entire development.
  - (iv) The apartment blocks will be provided with private balconies and access to a communal landscaped open space situated at first floor level.
  - (v) landscaping, boundary treatment, SuDS drainage.
  - (vi) All ancillary works necessary to facilitate the development.

- 2.1.1. In response to a request for additional information from Dublin City Council some amendments were made to the proposal resulting in a reduction in the number of apartments from 32 to 29, amendments to the layout resulting in the amalgamation of two blocks and the creation of two shared open spaces in lieu of one large shared open space, the introduction of a new café element, and alterations to elevational treatment. The layout provides for 12 no. car parking spaces and 32 bike spaces . The revised response was accompanied by an Infrastructure Report and a Mobility Management Plan.
- 2.1.2. The design reflects four no. three-storey apartment blocks constructed above a podium level, reflecting a four-storey development. The design reflects a modern design approach with a flat roof finish. The fourth floor is recessed and clad in zinc, the ground floor; first and second floors are finished in red brick with a combination of floor to ceiling windows and recessed balcony volumes with glazed balustrades panels. The building is set back from the footpath edge with a staggered building line creating a recessed front plaza at street level. The ground floor will be retained for use by Ballyfermot United Sports and social Club and will include a function room with bar, meetings room, a separate café is proposed and associated ancillary accommodation.

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. The planning authority granted permission subject to 20 conditions. The following condition is of note:

Condition no. 4.

The development shall be revised as follows: a) Highlight windows (minimum 1.8 from finished floor level) to be provided to the dining area of the following apartments:

- Apartment 1
- Apartment 9
- Apartment 10

- Apartment 13
- Apartment 21
- Apartment 25

Reason: In the interests of orderly development and amenity.

Condition no. 15.

Prior to the commencement of development, the applicant shall delineate on a map those areas which are to be taken in charge for written agreement of the Planning Authority. In relation to those areas not taken in charge a Management Company shall be set up. The Management Company shall provide adequate measures for the future maintenance and repair in a satisfactory manner of private open spaces, roads, footpaths, car park and all services, together with soft and hard landscaping areas, where not otherwise taken in charge by the Local Authority.

Reason: In the interests of the future maintenance of this private development, in the interests of residential amenity and the adequate provision of community facilities.

Condition no. 17 – Development Contribution

Condition no. 18 – Development Bond

Condition no. 20 - Agreement under Section 96 of the Planning & Development Act 2000 (as substituted by Section 3 of the Planning & Development Amendment Act 2002) in relation to the provision of social and affordable housing.

### 3.2. **Planning Authority Reports**

#### 3.2.1. **Planning Reports**

The Planner's Report is the basis for the Planning Authority's decision. In summary, it includes:

- The zoning and policy objectives applicable to the development site. The report details the recent planning history and notes the observations and submissions to the file.
- It is set out that the apartments meet the minimum standards with regard to the 'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities 2018'.

- It is noted that inadequate separation distance is provided between some apartments.
- The surrounding buildings in the area except for the Gala (former) cinema and the Leisure Centre are two storeys in height. The provision of a four-storey structure directly behind the two-storey main street would be incompatible with the urban hierarchy.
- It was concluded following receipt of further information and amendments to the design proposal that subject to certain conditions the development was acceptable and in accordance with the proper planning and sustainable development of the area having regard to the layout and overall design of the development with an appropriate activation of Blackditch Road.
- It was noted that the provision of the central block will impact on the sunlight/daylight available to the western private open space, however the eastern area will provide early morning sunlight and the western area will provide for evening sun for occupants providing different options for recreational areas.

### 3.2.2. Other Technical Reports

**Transportation Planning Division-** Report dated 09/11/18 states that TPD recommend that Further Information be requested from the applicant in relation to car parking and cycle parking, mobility management and access/egress arrangements. Additional report dated 7<sup>th</sup> June 2019 following receipt additional information raised no objections subject to conditions

**Drainage Division:** Report dated 10/10/18 recommend that Further Information be requested from the applicant in relation to surface water disposal. Additional report dated 5<sup>th</sup> June 2019 following receipt additional information raised no objections subject to conditions

### 3.3. Prescribed Bodies

None

### 3.4. Third Party Observations

A total of four submissions were made to Dublin City Council. The following is a summary of the issues raised:

- Promotion of higher density, access to public transportation and scale .
- Provision of housing—increase in supply.
- Concern is expressed regarding the scale, height, mass and effect on surrounding premises.
- Lack of car parking provided.
- Buildings should not be stepped back from the street and adjoining access gate.
- Setting building line forward.
- Pedestrian access through the site.
- Location of car parking and bin storage.
- Blocks C and D should be connected to form continuous building line.

### 4.0 Planning History

#### **Site**

DCC Reg. Ref. 2043/98 - Planning permission granted for a single storey sports changing rooms at the rear of nos. 303 & 305 Le Fanu Road.

DCC Reg. Ref. 0482/97 – Planning permission granted or alterations to front elevation, new footpaths and landscaping to forecourt Ballyfermot United Sports & Social Club, 2 Blackditch Road, Ballyfermot, Dublin 10.

#### **Surrounding**

ABP PL29S.247619 /DCC Reg. Ref. 3246/16 – Permission granted in 2017 for change of use of a former bingo hall known as the Gala bingo hall into a retail store at 363 Ballyfermot Road, D 10.

DCC Reg. Ref 4554/04 – Permission granted in 2015 for a mixed-use development comprising of partial demolition of existing 'Gala Cinema' building and the construction of 97no. apartments on lands known as 'the gala' on Ballyfermot Road, Ballyfermot, D 10.

## 5.0 Policy Context

### 5.1. Development Plan

Dublin City Development Plan 2016-2022

The site is zoned Z4: District Centres – *“To provide for and improve mixed-services facilities”*.

#### **Key District Centre 5: Ballyfermot.**

- Objective SC 10: Support Key District Centres (KDC5). These centres represent the top-tier of urban centres outside the city centre and provide strong spatial hubs with commercial and community centres.

Policy SC10: To develop and support the hierarchy of the suburban centres, ranging from the top tier key district centres, to district centres/urban villages and neighbourhood centres, in order to support the sustainable consolidation of the city and provide for the essential economic and community support for local neighbourhoods, including post offices and banks, where feasible, and to promote and enhance the distinctive character and sense of place of these areas.

Policy SC11: To promote employment and economic opportunities in the KDCs, district centres/urban villages and in neighbourhood centres in the identified innovation corridors and clusters.

Policy SC12: To ensure that development within or affecting Dublin’s villages protects their character.

Relevant policies and standards of the Dublin City Development Plan 2016-2022 include:

- Section 14.1 Zoning Principles - development should be encouraged in established centres, and the re-development of under-utilised and brownfield land in these areas should be promoted



## Transport and Access

- Policy MT01: Integrated transport where the intensification of mixed-use development is encouraged along transport routes.
- Policy MT12: To improve pedestrian environment and promote the development of pedestrian routes which link residential areas with recreational, educational and employment destinations to create a pedestrian environment that is safe and accessible to all.
- Section 16.38 Car parking Standards: Zone 2 standards will apply to Key District Centres as these areas are a focus for integrated land-use and transportation and allow higher densities. 1 car parking space is required per residential unit.

## Chapter 16 sets out Design Principles and Standards

- 16.2 Design Principles and Standards.

*“All development will be expected to incorporate exemplary standards of high quality sustainable and inclusive urban design and architecture befitting the city’s environment and heritage and its diverse range of locally distinctive neighbourhoods.*

*In the appropriate context, imaginative contemporary architecture is encouraged provided that it respects Dublin’s heritage and local distinctiveness and enriches its city environment. Through its design, use of materials and finishes, development will make a positive contribution to the townscape and urban realm, and to its environmental performance. In particular, development will respond creatively to and respect and enhance its context.”*

- Policy SC25 – To promote high standards of design
- Policy QH18 – To promote the provision of high-quality apartments
- Section 16.7.2 of the Development Plan includes height limits for development.
- Section 16.10.1 Residential Quality Standards – Apartments – sets out standards to be achieved in new build apartments.

- Policy QH8 of the Dublin City Development Plan 2016-2022 seeks “*To promote the sustainable development of vacant or under-utilised infill sites and to favourably consider higher density proposals which respect the design of the surrounding development and the character of the area*”.

#### 5.1.1. National Policy and Guidelines

- National Planning Framework (2018)

The National Planning Framework 2040 seeks compact urban growth, with the associated objective that at least half of the future housing growth of the main cities will be delivered within their existing built-up areas through infill and brownfield development and 40% in other key towns. The National Planning Framework has a number of policy objectives that articulate delivering on a compact urban growth programme. These include:

- NPO 2(a) relating to growth in our cities;
- NPO 3(a)/(b)/(c) relating to brownfield redevelopment targets;
- NPO 4 relating to attractive, well-designed liveable neighbourhoods;
- NPO 5 relating to sufficient scale and quality of urban development; and
- NPO 6 relating to increased residential population and employment in urban areas;
- NPO13 relating to a move away from blanket standards for building height and car parking etc. and instead basing it on performance criteria.
- Urban Development and Building Heights, Guidelines for Planning Authorities (2018)
- Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2018)
- Sustainable Residential Development in Urban Areas (Cities, Towns & Villages) (2009)
- Quality Housing for Sustainable Communities: Best Practice Guidelines for DELIVERING HOMES SUSTAINING COMMUNITIES (2007)

#### 5.2. Natural Heritage Designations

None

### 5.3. Environmental Impact Assessment - Preliminary Examination

On the issue of Environmental Impact Assessment screening I note that the relevant classes for consideration are class 10(b)(i) “Construction of more than 500 dwelling units” and 10(b)(iv) “Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere”. Having regard to the size of the development site (.1983ha) and scale of the development it is sub threshold and the proposal does not require mandatory Environmental Impact Assessment. Having regard to the nature and scale of the proposed development, the brownfield nature of the receiving environment, and to the nature, extent, characteristics and likely duration of potential impacts, I conclude that the proposed development is not likely to have significant effects on the environment and that the submission of an Environmental Impact Statement is not required. The need for environmental impact assessment can, therefore, be excluded at preliminary examination. An EIA - Preliminary Examination form has been completed and a screening determination is not required.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The grounds of appeal, as submitted by the third-party appellant, are as follows:

- It is set out that the development would be contrary to the Z4 zoning objectives for the area by rear of overdevelopment of a district scale site and would be incompatible with the urban hierarchy.
- It is set out that the design does not appropriately address the context of the rear lane and has an overbearing impact.
- The proposed development represents piecemeal development that goes against the Development Plan’s objective to support comprehensive development and regeneration in these areas. The density at 146 units per

hectare is well in excess of the 50 units per hectare cited in the Sustainable Residential Development in Urban Areas (Cities, Towns & Villages), 2009.

- The proposed development is substandard by reason of substandard open space, private residential amenity, poor elevational treatment and separation distances between dwellings.
- It is set out that site coverage at 83% and the podium design concept reflects the dominance of the development on the site.
- The development was materially altered at further information stage and should have been re-advertised.
- The development is substandard in terms of car parking provision. This will lead to overspill onto the adjoining streets.

## 6.2. Applicant Response

- It is set out that the proposed development allows for the comprehensive regeneration of an existing underutilised site in an efficient manner which supports the viability and longevity of the adjoining neighbourhood centre.
- The appeal site does not inhibit the development of any sites within the immediate and wider area.
- The development has been designed in accordance with the principles of the Urban Development and Building Heights, Guidelines for Planning Authorities (2018). The site location and access to public transport allow for increased density and height in accordance with the guidelines to maximise efficient use of lands.
- It is set out that the revised plot ratio is 1.75, which is lower than the 1.8 of the original proposal.
- The developer does not own any other lands in the area and is in a position to provide a more comprehensive regeneration of the immediate neighbourhood centre. It is considered that the proposed development allows for the comprehensive redevelopment of the appeal site.

- It is set out that site coverage is 83% and in accordance with Section 16.6 of the Development Plan.
- It is set out that the laneway is a service lane and not a mews lane and the elevational treatment reflect this.
- The alterations made to the design and layout did not warrant Significant Further Information notices.
- 12 car parking spaces have been provided for the 29 apartments. A mobility management plan has also been submitted. It is considered that the extent of public transport services in the immediate area and the proximity to the city centre makes cycling feasible and justifies the reduced quantum of car parking.

### 6.3. **Planning Authority Response**

The Planning Authority did not respond to the grounds of appeal.

## 7.0 **Assessment**

7.1. The appeal site is zoned Z4: District Centres – *“To provide for and improve mixed-services facilities”*. Retail/Commercial and Residential uses are permissible within this zoning category. As such the proposal is acceptable in principle, subject to the detailed considerations below.

7.1.1. I consider the substantive issues arising from the grounds of appeal and in the assessment of the application and appeal, relate to the following:

- Principle of Development
- Design, Plot Ratio, Height and Impact on Visual Amenity
- Residential Amenity
- Other Issues
- Appropriate Assessment

### 7.2. **Principle of Development**

7.2.1. The proposal provides for the demolition of the existing single storey, flat roof, community centre and adjoining two-storey building and the construction of a four-storey contemporary style mixed-use scheme comprising of a ground floor social

club and associated function room with bar, meeting room, separate café and 29 apartments.

- 7.2.2. The site is reasonably well served by public transport. Dublin Bus Service runs a number of routes through the village and Kylemore Luas Stop is located c. 1.7km from the site. The provision of mixed-use development on the site in the village centre, within easy access of public transport would be consistent with the policies of the Planning Authority as set out in Section 14.1 *Zoning Principles* of the Development Plan which seek to encourage the development of underutilised and brownfield sites adjacent and close to public transport nodes.
- 7.2.3. It is considered that the proposed development in terms of floor areas would be acceptable and in accordance with Development Plan standards and the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, March 2018. The Planning Authority have raised no issues in this regard.
- 7.2.4. I note that 12 car parking spaces have been provided on the site. The Development Plan establishes that car parking provision maybe reduced or eliminated in areas that are well served by public transport. I am satisfied that there is no issue with car parking provision on the site. Cycle parking has also been proposed on site.
- 7.2.5. I consider that the principle of the proposed development including the demolition of the existing buildings on the site, which are not of architectural merit acceptable within this zoning category, subject to the detailed considerations below.

### **7.3. Design and Layout, Plot Ratio, Height and Impact on Visual Amenity.**

- 7.3.1. The appellant argues that the proposed development represents overdevelopment of the site and that the design and layout is substandard by reason of inadequate private open space, private residential amenity, poor elevational treatment and separation distances between dwellings. As a result, the proposed development would contravene the Z4 zoning objective for this site by reason of overdevelopment of a district scale site and would be incompatible with the urban hierarchy.
- 7.3.2. The development plan establishes an indicative plot ratio of 2.0 for Z4 District Centres and site coverage of 80%. The site is 0.1983ha in area with a plot ratio of 1.75, site coverage of 83%, and a density of 146 units per hectare. The proposed

density of 146 units per hectare exceeds the recommended 30-40+ dwellings per hectare set out in the “*Sustainable Residential Development in Urban Areas*” guidance. Whilst, I note higher densities are encouraged in accordance with national policy this has to be balanced with the quality of the apartments and the impact the development may have on the receiving environment.

7.3.3. The **architectural design** resolution by reason of the bulk, scale and massing of the proposal, in particular when viewed from Blackditch Road, would represent a block form on site and would have a long, uninterrupted bulk extending the entire depth of the site. The design reflects limited legibility in the context of the site and the adjoining pattern of development. No pedestrian permeability has been provided through the site and the mass of built form at ground floor level and the associated apartment blocks and podium level open space on the upper levels and associated side elevational treatment have no regard to the adjoining sites or visual impact. The building does not form part of the streetscape but rather a standalone block embedded between a vacant site and a vacant two storey building with no regard to the site context and future integration. The layout fails to make a positive contribution to the improvement of legibility through sites and the wider urban area within which the development is situated such that the development integrates in a cohesive manner.

7.3.4. In terms of **height**, Policy SPPR 4 of the *Urban Development and Building Heights Guidelines for Planning Authorities*” seeks that as a minimum, the densities for such edge of city locations as set out in “*Sustainable Residential Development in Urban Areas (2007)*” be achieved and that a greater mix of building heights and typologies be secured in planning for the future development of suburban locations. A qualitative assessment is also required under Section 3.2 of the height guidelines to ensure that the highest standards of urban design, architectural quality and place making outcomes are also achieved. In particular, the guidelines seek that a proposed development should satisfy criteria at the scale of the relevant city, district/neighbourhood/street and site/building. The specific nature and qualitative elements of the proposal need to be considered in terms of the assessment of the appropriateness of the development as proposed relative to its context. In assessing the wider considerations, it is appropriate to rely on the qualitative factors defining

built form including height, design, open amenity space provision, and standards of public realm.

- 7.3.5. It is acknowledged that prevailing building heights in the immediate area are generally two storey. The maximum ridge height of the development is 13.3m in height which is under the current height restriction of 16m as set out in Section 16.7.2 of the Dublin City Development Plan (2016-2022).
- 7.3.6. The building has a staggered building line which creates a small urban plaza to the front of the building. However, in the context of the two-storey nature of the adjoining structures, the proposed staggered building line and tiered third floor does not soften or reduce the visual impact. In my opinion the proposed building at 13.3m would be significantly taller than the immediately adjoining development and would represent a disjointed pattern of development along Blackditch Road when viewed in the wider context. Whilst, I notes Ballyfermot Leisure Centre located opposite site is approximately four storeys, this is standalone building with associated car parking and playing fields surrounding the site and does not form part of a streetscape setting. Paragraph 16.7.2 of the Development Plan references low rise areas such as the appeal site where there is a pre-existing height, and this provides that a building of the same number of storeys may be permitted '...subject to assessment against the standards set out elsewhere in the plan (emphasis added) and the submission of an urban design statement'. The applicant argues that the Urban Development and Building Heights Guidelines for Planning Authorities (2018) encourages increased building heights and whilst I agree in principle, Section 3.2 of the Guidelines sets out that increased building height in architecturally sensitive areas should successfully integrate into/ enhance the character and public realm of the area. I agree and subject to an appropriate design, I consider increased building height can be accommodated on the site.
- 7.3.7. The appellant considers that the proposed development would have an **overbearing** impact. It is noted that the primary views of the development will be from Blackditch Road and from the rear lane and adjoining rear gardens. The overall scale, form and mass of the proposed development, in particular, the extent of wall mass forming the side elevations at a height of 13.3m in close proximity to the site boundaries of the adjoining properties would represent an overbearing feature when viewed from Blackditch Road and properties both sides of the site reflecting a visually dominant



and obtrusive form on the site. Furthermore, I note the rear lane is ca. 6m wide and currently gated and having regard to the adjoining single storey pattern of development abutting the lane on both sides, I am not satisfied that the mass and height of the rear elevation will not have an overbearing impact in this context.

- 7.3.8. Based on the above considerations, I consider the proposed development, by virtue of its design, bulk, scale, mass, and depth, would visually dominate the streetscape and would be out of context on the site. The proposed development would represent poor design and would be an incongruous insertion into the streetscape. The development should be refused for this reason.

#### 7.4. Residential Amenity

- 7.4.1. The appellant asserts that the proposed development has failed to establish a satisfactory standard of amenity for the future occupants of the development.

- 7.4.2. In relation **open space provision**, the applicant is proposing two podium level gardens measuring 272sqm and 246sqm respectively with a western and eastern orientation. The quantum of communal open space complies with the “Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities”. However, the open spaces are narrow enclosed spaces surrounded on three sides by three-storey apartment blocks with a railing indicated along the remaining fourth boundary, overlooking the side gable and rear garden of a commercial unit to the east and the vacant site to the west.

- 7.4.3. It has not been demonstrated that the proposed amenity spaces can be described as being adequately sunlit throughout the year. This is in accordance with the BRE’s 2011 guidance document *Site Layout Planning for Daylight and Sunlight* which states that for a space to appear adequately sunlit throughout the year; at least 50% of the garden area should receive at least 2 hours of sunlight on 21st March. The drawings would indicate that there will be limited permeability of light and views as a result of the scale and layout of the block forms surrounding the open spaces. In this regard, I consider the quality of the open space exceptionally poor and the resultant impact on residential amenity unacceptable and contrary to policy objective QH18 of the Development Plan which promotes the provision of high-quality apartments within sustainable neighbourhoods by achieving suitable levels of amenity within individual apartments, and within each apartment development. In addition, the

Quality Housing for Sustainable Communities Guidelines (2007) set out factors that need to be considered in the layout of apartments schemes including factors requiring special consideration such as the provision for private open space and communal shared areas, play space, etc.

- 7.4.4. The 'Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities' and its accompanying 'Urban Design Manual' does not set rigid minimum **separation distances** but does require that habitable rooms and private amenity space should not be directly excessively overlooked by neighbouring residents. The appellant argues that there is inadequate separation distance between dwellings. In this regard I note the minimum distance between opposing windows is approx. 19m. I do not consider that there will be significant detrimental overlooking as a result of the development. A degree of over-looking is considered reasonable in an urban environment.
- 7.4.5. The layout of the development does not reflect a quality living environment and residential amenity has been compromised in order to increase overall density. In conclusion, the proposed development would fail to establish a satisfactory standard of amenity for future occupants of the proposed development.

## 7.5. **Other Matters**

- 7.5.1. The third-party submission sets out that development was materially altered at **further information** stage and should have been re-advertised.
- 7.5.2. The planning authority did not consider the response to the further information and the accompanying amendments to the proposal to be significant or materially different to warrant re-advertisement and circulation to third parties in accordance with Article 35 of the Planning Regulation. I would not agree, and I consider the changes made as part of the response to the further information were material changes and did warrant re-advertising.
- 7.5.3. The applicant has submitted an **Infrastructure Report** setting out compliance with the principles of Sustainable Urban Drainage Systems. It is also set out that there is no history of flooding on the site. The Council's Drainage Division has reviewed the proposal and raised no objections.

7.5.4. A preliminary **Mobility Management Plan** prepared by NRB Consulting Engineers concludes that there is adequate capacity in the adjoining road network to accommodate the development and adequate public transport serving the site. The Council's Transportation Planning Division has reviewed the proposal and raised no objection to the traffic generation or proposed access arrangements and car parking proposed.

#### 7.6. **Appropriate Assessment**

Having regard to the nature of the development, its location in a serviced urban area, and the separation distance to any 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**

I recommend that planning permission for the proposed development should be refused for the reason and considerations, as set out below.

### 9.0 **Reasons and Considerations**

1. The proposed development, by reason of design, scale, mass, and depth, would visually dominate and harm the streetscape. The proposed layout fails to make a positive contribution to the improvement of legibility through sites and the wider urban area and would represent a visually discordant feature that would be detrimental to the character of this area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development, by reason of its design and layout and qualitative provision of open space would fail to establish a satisfactory standard of amenity for future occupants of the proposed development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area would conflict with the provisions of the

Development Plan and the Quality Housing for Sustainable Communities: Best Practice Guidelines for Delivering Homes Sustaining Communities (2007). The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area

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Irené McCormack  
Planning Inspector

8<sup>th</sup> October 2019