



An
Bord
Pleanála

Board Direction
PL28.247698

The submissions on this file and the Inspector's report were considered at a Board meeting held on April 20th 2017.

The Board decided to refuse permission for the following reasons and considerations.

Reasons and Considerations

1. Having regard to the existing and permitted density of development on the subject site, and the character and pattern of development in the vicinity, and having regard to the nature and intensity of the proposed additional quantum of development, and the relocation of the permitted development partly onto existing amenity areas, it is considered that the proposed development would seriously injure the residential amenities of property in the vicinity, by reason of noise and general disturbance likely to arise from the proposed increase in density on the site, and would be injurious to the amenities of future occupants of the permitted development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area
2. Having regard to the design and form of the proposed development, including the fenestration changes and the flat-roofed nature of the additional floor to the permitted development, it is considered that the proposed development would represent a poor quality of design, which would be inconsistent with the existing pattern of development on the overall site and out of character with the pattern of development in the vicinity, and would be visually unacceptable.

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

In deciding not to accept the Inspector's recommendation to grant permission, the Board did not agree with the Inspector's analysis regarding the visual appearance and design of the proposed development, for the reasons and considerations outlined in its order, and did not consider that the addition of a brick finish, as suggested by the Inspector, would be sufficient to successfully integrate the new building into its surroundings. Furthermore, the Board concurred with the views of the Planning Authority in relation to the level and intensity of development proposed and the impacts of this intensification of development, over and above the permitted level of development, on the residential amenities both of the adjoining properties and of the future occupants of the permitted development.

Note 1: In coming to its decision, the Board had regard to the detailed report of the City Council's Senior Executive Planner, and in particular her analysis of the issue of the intensification of use of the site represented by the proposed development. The Board also had regard to the observations made to the planning authority and to the Board, by third parties.

Note 2. The Board was of opinion that the description of the development by the applicants, as "modifications" to the existing permission under An Bord Pleanála reference number PL28.245912, may not have been appropriate, given the fact that the proposed development involved the construction of the south block at a different location and on a different footprint from that approved, and given the extent of additional development (i.e. the construction of an entirely new floor to the permitted building), but decided not to pursue this matter having regard to the substantive reasons for refusal outlined above.

[Please issue a copy of this Direction with the Board Order]

Board Member

Philip Jones

Date: 20th April 2017