



An
Bord
Pleanála

Board Direction
PL29S.249342

The submissions on this file and the Inspector's report were considered at a Board meeting held on February 6th 2018.

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

Reasons and Considerations

1. Having regard to the location of the site within a residential conservation area, and in proximity to protected structures on Kenilworth Road, it is considered that the proposed development, by reason of its height, roof profile, fenestration and overall design, would be visually incongruous and contrary to the visual amenities of the area, and would adversely affect the setting of these protected structures, and by reason of its bulk, height and proximity to adjoining properties on Grosvenor Road, would seriously injure the residential amenities of such adjoining property by reason of overshadowing and by reason of being visually overbearing. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. It is considered that the proposed development would constitute overdevelopment of the site and would result in a substandard form of residential amenity for future occupiers as a result of the poor quality and quantity of private open space. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. By reason of the proposed excavation of basements at this location, in proximity to areas in which there has been a number of flooding events, the Board is not satisfied, notwithstanding the documentation submitted with the application and appeal, that the proposed development would not lead to a risk of exacerbating flooding of nearby property. The proposed development would, therefore, be contrary to the proper planning and development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board did not share the Inspector's opinion that the design of the proposed development was acceptable at this location, nor that the concerns of the third party and the observer regarding the risk of flooding would be mitigated by the proposed design measures. Furthermore, the Board did not concur with the Inspector that the impacts of the proposed development on the residential amenities of adjoining properties could be adequately resolved by condition, nor that the lack of private open space was acceptable in the context of the design of the development or could be adequately ameliorated by condition.

Board Member

Date: 6th February 2018

Philip Jones