



An
Bord
Pleanála

Board Direction
BD-000781-18
ABP-301283-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on July 23rd 2018.

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

Reasons and Considerations

The site for the proposed development is covered by zoning objective A in the Dun Laoghaire Rathdown Development Plan 2016 – 2022, where the purpose of the zoning is to protect and/or improve residential amenity. Furthermore, this area was specifically identified as providing private open space, in the form of residential courtyards, for the two adjoining apartments, under planning permission register reference D041/1307. Having regard to its close proximity development to adjacent residential properties, including these apartments, it is considered that the proposed commercial/veterinary storage building would result in overdevelopment of the site, would have a negative impact on the amenities of residents, and would be inconsistent with the permitted use of this site. The proposed development would, therefore, seriously injure the residential amenities of adjoining property, and would 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 had regard to the planning history of the site and was satisfied that the area proposed for the store was unambiguously designated as amenity space for the adjoining apartments under the relevant planning permission for these apartments,

and did not consider it appropriate that such an area, notwithstanding the non-compliance with the original planning permission, should be used for any other purpose. The Board was also satisfied that the provision of commercially related storage, whether as proposed or as reduced in scale as suggested by the Inspector, would seriously injure the residential amenities of the residents of the apartments and surrounding residential properties. Furthermore, the Board was not convinced that the remaining balconies, having regard to the planning history of the subject lands, was adequate to provide the sole private open space for these apartments, as suggested by the applicant.

Board Member _____ **Date:** 26th July 2018
Philip Jones