



An  
Bord  
Pleanála

**Board Direction**  
**BD-005723-20**  
**ABP-305455-19**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 08/05/2020.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

### **Reasons and Considerations**

1. Having regard to the design and scale of the proposed development including the use of balconies, to the proximity of the development to the southern site boundary and to residential development in Stonepark Orchard, in particular Nos. 17 and 18 and the single storey dwelling to the east of these properties, it is considered that the proposed development would have a significant negative impact on the residential amenity of these properties by reason of overlooking of private amenity areas and rear elevations and overbearing visual impact and visual intrusion. The proposed development would therefore seriously injure the residential amenities, be contrary to the RES zoning objective of the site and would therefore be contrary to the proper planning and sustainable development of the area.
2. The proposed 4-storey development is considered to be unacceptable as the applicant has failed to demonstrate due regard to the prevailing building height in the surrounding area, the proximity of existing housing, or the formation of a cohesive streetscape pattern, and it is considered that the proposed development does not integrate well with the surrounding area because of this. Furthermore, no transition of height is provided at this site, which is surrounded

by 2-storey suburban development. The proposed development therefore fails to comply with the performance criteria at the scale of the district/neighbourhood that are set out in Section 3A of the Guidelines on Urban Development and Building Height particularly in relation to the development making a positive contribution to the urban neighbourhood and streetscape. It is considered that the proposed development would seriously injure the visual amenities of the area, would be contrary to ministerial guidelines and would therefore, be contrary to the proper planning and sustainable development of the area.

3. The proposed extensive use of brick finish, lack of fenestration particularly in the east facing elevation of Block B and the extent of the staggered building line to Nutgrove Avenue is such that the proposed development would have a bulky and visually incongruous appearance when viewed from Nutgrove Avenue. The proposed development would therefore have a significant negative impact on the streetscape and visual amenity of the area and would be contrary to the proper planning and sustainable development of the area.
4. The proposed development features ground floor terraces and above ground floor balconies in Blocks A and B which are located such that they would encroach on the 7 metre wayleave around the diverted surface water sewer that is proposed to run through the site. This sewer is of 1.05 metres in diameter and the extent of wayleave identified is considered appropriate. The proposed development would therefore be contrary to the requirements of Irish Water and the water Services Section of the local authority, would be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.

**Board Member**

**Date:** 08/05/2020

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Maria FitzGerald