



An  
Bord  
Pleanála

**Board Direction**  
**BD-006951-20**  
**ABP-306282-19**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/11/2020.

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 existing character and the prevailing pattern of development and the presence of a structure on site of architectural heritage interest which is listed as a Protected Structure in the South Dublin County Development Plan 2016-2022, it is considered that the proposed development, by reason of its overall layout, and its scale, height, massing and design, together with the extensive removal of the front boundary wall along Stocking Lane, would be out of scale with its surroundings, would represent an overdevelopment of the site, would dominate and seriously detract from the architectural character and setting of 'Prospect House', a protected structure with RPS Number 340 referring and of the streetscape generally. The proposed development would, therefore, materially and adversely affect the character of this Protected Structure, would be contrary to the requirements of HCL Policy 3 Protected Structures of the South Dublin County Development Plan 2016 - 2022, would seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the prominent location of the site, to the established built form and character of Stocking Lane and to the existing buildings and boundary walls of

Prospect House, protected structure, on the site which are considered to be of importance to the streetscape, it is considered that the proposed development would be incongruous by reason of its design, bulk and fenestration, which would be out of character with the streetscape and would set an undesirable precedent for further inappropriate development in the vicinity of the site. The design is not considered to justify the demolition of the existing boundary walls of the site and the removal of the gardens in their entirety, which comprise elements of the curtilage of Prospect House, a protected structure. The proposed development would, therefore, seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

3. The proposed development, by reason of its inadequate qualitative and quantitative provision of public/communal open space and lack of designated children's play area, would conflict with the provisions of the South Dublin County Development Plan 2016-2022, for the area and with the minimum standards recommended in the "Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities" published by the Department of the Environment, Heritage and Local Government in 2009 and would constitute an excessive density of development on this site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

4. The results of the 'M50 Motorway Noise Assessment' prepared by Byrne Environmental Consulting Ltd, do not demonstrate compliance with Section 11.6.3 (ii) Noise and Policy 7, Environmental Quality of the South Dublin County Council Development Plan 2016 – 2022 and Volume 4 of the Dublin Agglomeration Environmental Noise Action Plan 2018 – 2023, in that daytime and night time noise levels are outside of the desirable levels expected for residential development. The applicant has not provided sufficient detail as to how sufficient residential amenity is to be provided for future occupants of the proposed units. The proposed development would, therefore, be prejudicial to public health.

**Board Member**

**Date:** 16/11/2020

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Maria FitzGerald