



An  
Bord  
Pleanála

**Board Direction**  
**BD-007515-21**  
**ABP-308432-20**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 05/02/2021.

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

### **Reasons and Considerations**

1 The Board considered that the proposed development would seriously injure the residential and visual amenities of adjoining properties by reason of its design, scale and mass, in particular in respect of the increased levels of overshadowing, overlooking and visual impact, and represented overdevelopment of a restricted site, relative to the existing and permitted development on site. The proposed development is considered contrary to the criteria in Section 3.2 and SPPR 3 of the Urban Development and Building Height Guidelines for Planning Authorities (2018) and to the policies and guidelines of Appendix 9 (Building Height Strategy) of the Dun Laoghaire Rathdown County Development Plan 2016-2022, The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2 The Board considered that proposed development by reason of the extent of north-facing apartments, and restricted outlook of a significant number of the south and west-facing apartments, as well as the layout, location and the sub optimal quality of the proposed public and communal open space and the extent of retaining wall to the south and west of the site would seriously injure the residential amenities of future occupants of the proposed development. 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 concurred with the recommendation of the Chief Executives Report in terms of the design, scale and mass of the proposed development and concluded that it represented an overdevelopment of a restricted site. Furthermore, the Board did not consider that the proposed development complied with the criteria under section 3.2 of the Urban Development and Building Height Guidelines, in terms of part (iii) **At the scale of the site/building:** The Board did not consider that the proposed development would contribute positively to the visual amenity of the area, or represent a positive addition to the area. Furthermore, the Board had serious concerns with regard to the residential amenities of future occupants in terms of the sub optimal quality / disposition and layout of public and communal open space provision and due to the scale, height and location of the extensive retaining structures on site which undermined the quality of the overall layout. The proposed development would therefore, be contrary to the proper planning and sustainable development of the area.

**Board Member**

**Date:** 09/02/2021

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Paul Hyde