



**An  
Bord  
Pleanála**

**Board Direction  
BD-011925-23  
ABP-311467-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/03/2023.

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

### **Reasons and Considerations**

1. The proposed development by reason of its scale, volume, massing and proximity to site boundaries, in particular its proximity to shared boundaries with Nos. 40 and 44 Esmonde Street, would have a negative impact on the character of the area and would seriously injure the amenities of adjoining properties by reason of visual obtrusion, overbearance and overlooking. Furthermore, the Board is not satisfied, in the absence of comprehensive studies of access to daylight and sunlight, that the proposed development would not adversely impact on neighbouring properties by reason of overshadowing and loss of light. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposal includes works to the Arklow Road in the vicinity of the site and the provision of a loading bay within the site boundary. The impact of the proposed works to Arklow Road are not assessed within the application and the turning movements onto the Arklow Road associated with the proposed loading bay would result in a pedestrian and traffic hazard. Furthermore, the Board considers that adequate provision for cycle parking

and bin storage required to serve the development has not been demonstrated. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The proposed development includes works outside of the application site boundary on the existing private laneway adjacent to the site on Esmonde Street. The applicant has not demonstrated appropriate legal consent to carry out such works, which include cantilevered windows overhanging the laneway, and the development is considered premature on this basis.

**Board Member**



Tom Rabbette

**Date:** 16/03/2023