

An
Bord
Pleanála

Board Direction
BD-012789-23
ABP-312423-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/06/2023.

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

Reasons and Considerations

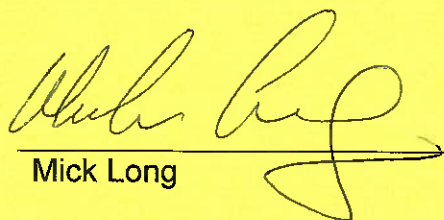
1. The proposed development would, by virtue of the abrupt transition of height, scale, bulk and form from the north and in close proximity to adjoining property, appear visually obtrusive, incongruous and overbearing. The proposed development would, therefore, be seriously injurious to the visual and residential amenities of the area. The proposed development would set an undesirable precedent for similar development contrary to the Dun Laoghaire Rathdown County Development Plan 2022-2028 and is therefore contrary to the proper planning and sustainable development of the area.
2. The proposed development, in its current form, would limit the opportunities for the achievement of a co-ordinated development of the St Laurence Park corner site and would be piecemeal in nature. The proposed development would adversely impact the amenities of properties in the vicinity and would represent a sub-standard form of development, would militate against the achievement of a building line that enhances the street along the Old Dublin Road and would potentially effect the delivery of the planned public realm changes under the Stillorgan Village Area Movement Framework Plan as only part of the area in front of the site is considered

and is not in accordance with the relevant standards for such facilities in new developments. The proposed development would, therefore, be contrary to the Dun Laoghaire Rathdown County Development Plan 2022-2028 and to the proper planning and sustainable development of the area.

3. On the basis of the documentation submitted with the application and appeal the Board is not satisfied that the proposed development provides quality communal space and adequate communal facilities for residents. Furthermore the proposed development would create the potential for overlooking from rear balconies and the roof terrace towards the adjacent permitted development and existing development the Dun Laoghaire Rathdown County Development Plan 2022-2028. The proposed development is therefore contrary to the Dun Laoghaire Rathdown County Development Plan 2022-2028 and to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board did not disagree with the Inspector in so far that the proposed development may not technically limit the development potential of adjoining sites. However, in terms of the form and scale of the proposed development when necessarily judged as a stand alone proposal, the Board determined that the scheme would be discordant with the immediate context by reason of abrupt transition, scale and form. In this regard the Board shared the view of the Planning Authority that the piecemeal form of development would militate against the integration with the surrounding block. Furthermore, the Board determined that elements of the proposed development relating to public realm, provision of open space for prospective residents and the potential for overlooking constituted material considerations warranting a refusal of permission in this instance.

Board Member


Mick Long

Date: 06/07/2023