



An
Bord
Pleanála

Board Direction
BD-014409-23
ABP-313282-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 31/10/2023.

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

Reasons and Considerations

Having regard to the policies and objectives as set out in the Dún Laoghaire Rathdown County Development Plan 2022-2028, the zoning objective for the site '*To provide residential development and improve residential amenity while protecting the existing residential amenities*', and in particular Objectives PHP18, PHP20 and PHP42 which require a balanced approach between the protection of existing residential amenities and the established character of the surrounding area whilst increasing housing supply through more compact growth and intensification, the Board is not satisfied that the scale, design, massing and positioning of blocks A and B achieve that balance and integrate with the existing single and two storey dwellings in the vicinity of the site. It is considered that the proposed height together with the setback boundaries and adjoining properties would result in a visually dominant and overbearing form of development when viewed from Plunkett Avenue and adjoining properties and would seriously injure the visual and residential amenities of these neighbouring properties.

Having regard to the Development Plan Objective HER13 which requires that any new development or alteration of a building within or immediately adjoining an Architectural Conservation Area (ACA) is appropriate in terms of inter alia design,

scale and mass, and seeking the retention of all features that contribute to the character of an ACA including soft landscaping, the Development Plan objective to protect and preserve trees and woodlands for the proposal site (Map 6 of the Development Plan), and notwithstanding the arboricultural assessment and retention / mitigation proposed by the developer, the Board considered the proposed removal of trees and hedging along Plunkett Avenue in order to accommodate a development of this scale, design and massing to be excessive and would adversely affect the sylvan character of Plunkett Avenue including as it adjoins the ACA.

Having regard to the provisions of the Dún Laoghaire Rathdown County Development Plan 2022-2028, the Board on balance considered the proposed development by reason of its overall scale, massing and height would constitute excessive development at this sensitive location adjoining the Foxrock ACA. The proposed development would, therefore, not be in keeping with 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 planning authority that the proposed development would seriously injure the residential amenities of the area in terms of visual impact and overbearing, and considered that the loss of trees was excessive and not justified with respect to the objective of their protection and preservation. The Board noted the Inspector's proposed omission of one storey from block B and the removal of additional car parking spaces; however, it was considered that the proposed alterations were not appropriate or sufficient to address the aspects of the proposed development that were of concern to the Board.

Note:

Having regard to the totality of the documentation on file, the Board considered that further detailing of the foul and surface water arrangements would ordinarily be warranted to enable a determination on this matter to be made. However, given the substantive reasons for refusal set out above, it was decided not to pursue these matters in the context of the current appeal.

Board Member

Eamonn James Kelly

Date: 01/11/2023

Eamonn James Kelly

