



An
Bord
Pleanála

Board Direction
BD-015902-24
ABP-315627-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 22/03/2024.

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 provision of an 8-storey building comprising a car park at ground floor and first floor levels would represent a poor interface with surrounding lands and public realm and does not accord with the principles established in the Guidelines on Urban Development and Building Heights for Planning Authorities 2018 for the provision of taller buildings and the criteria set out in the Building Height Strategy of the Dún Laoghaire-Rathdown County Development Plan 2022-2028. The proposal would therefore be contrary to the proper planning and orderly sustainable development of the area.
2. The proportion of dual aspect units does not meet the quality requirements set out in the Dún Laoghaire-Rathdown County Development Plan 2022-2028 and the proposed development would therefore result in unsatisfactory residential amenity for future occupiers.

Note

The Board noted the matters raised by the Inspector in relation to the first recommended reason for refusal concerning the absence of an overall framework or masterplan for the District Centre. Having regard to the policies and objectives of

the Development Plan, the Board considered that the Plan does not require a framework or masterplan with respect to this site and its absence, therefore, in and of itself does not justify a reason for refusal.

The Board noted the proposed amendments proffered by the applicant on appeal; however, the Board considered the details of such amendments including the consequential effect on unit mix as well as design and layout standards were such that the Board decided they would not form part of the determination in this instance.

The Board also noted the publication of the Residential Development and Compact Settlement - Guidelines for Planning Authorities (2024) which would now be relevant in terms of the assessment of the proposed development at this location. In that regard, the Board noted the Inspector's assessment that the Public Transport Capacity Report is outdated and not fully representative of the current public transport provision. The Board considered that ordinarily the matter would warrant further information; however, given the substantive reasons for refusal the Board decided not to pursue the matter further.

In addition, the Board noted several apartments did not meet the required daylight/sunlight standards. The Board considered that ordinarily the matter would warrant further information; however, given the substantive reasons for refusal the Board decided not to pursue the matter further.

Board Member

Eamonn James Kelly

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Date: 22/03/2024