

An  
Bord  
Pleanála

**Board Direction**  
**BD-016271-24**  
**ABP-317234-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 07/05/2024.

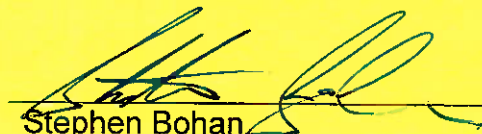
The Board decided to refuse permission for the following reasons and considerations.

#### **Reasons and Considerations**

1. The proposed development by way of its site layout, design, height and scale would have a seriously negative impact on the residential amenity of a residential conservation area and its neighbouring properties and would therefore be contrary to the Dublin City Development Plan 2022-2028, the Z2 zoning objective for the area and section 15.5.2 which refers to Infill Development and section 15.13.4 which refers to backland housing. The proposal, due to its lack of separation between the proposed units and the neighbouring properties would be overbearing and would seriously injure the residential amenity of property in the vicinity. The proposed development is therefore contrary to the proper planning and sustainable development of the area.
2. The private open space provision for the proposed units within this development is considered to be insufficient falling well below the minimum required open space for units of this size. The poor level of private open space would not be in keeping with the Dublin City Council Development Plan, would result in poor levels of residential amenity and if approved would set an undesirable precedent for future such developments.

In deciding not to accept the Inspector's recommendation to grant permission, the Board noted the Inspectors comment that the proposed development would have its own distinct character but did not agree that this would complement the established character of development in the area. The Board concurred with the planning authority on the issue of a lack of separation between the proposed units and the neighbouring properties, and, contrary to the Inspectors view, considered the height and scale of the terraced houses at this location to be excessive, all of which would lead to overbearing impacts and would seriously injure the residential amenity of property in the vicinity. The mitigation measures proposed by the applicant were noted but the Board considered these were not sufficient to adequately address the issues. The Board concurred with the planning authority on the issue of insufficient private open space provision and considered that, notwithstanding the extent of floor space provided in the proposed units and the proximity of public amenity areas, this was not sufficient to warrant a relaxation in the private open space standards in this instance.

**Board Member**

  
Stephen Bohan

**Date:** 10/05/2024