

An  
Bord  
Pleanála

**Board Direction**  
**BD-016290-24**  
**ABP-317899-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 13/05/2024.

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 subject site is zoned 'A' in the Dun Laoghaire-Rathdown County Development Plan 2022-2028 with a stated objective 'to provide residential development and improve residential amenity while protecting the existing residential amenities.' The proposed development comprising a domestic and small business storage facility, is not listed within the 'Permitted in Principle' or 'Open to Consideration' uses in the 'A' zoning objective outlined in the development plan. Furthermore, while Section 13.1.5 of the aforementioned plan provides for the consideration of uses which are not specifically mentioned on a case-by-case basis in relation to the general policies in the in the Plan and on the zoning objectives for the area in question, it is considered that the use proposed would not be compatible with the general policies in the plan, the zoning objective pertaining or the prevailing uses within the area. Therefore, it is considered that the proposed development would be contrary to the zoning objective of the site, would contravene the Dun Laoghaire-Rathdown County Development Plan 2022-2028 and would, therefore be contrary to the proper planning and sustainable development of the area.

2. The proposed development by reason of its scale, massing and design of the front elevation in particular would seriously injure the visual amenities of the area and would be contrary to Objective PHP42 of the Dun Laoghaire-Rathdown County

Development Plan 2022-2028 which seeks to encourage high quality design of all new development. Furthermore, having regard to the proximity of the proposed development to adjoining properties and in the absence of evidence to outline the likely impact of the proposed development on the residential amenity of adjoining properties it is considered that the proposed development would have a detrimental impact by way of overshadowing and overbearing impacts and would therefore conflict with Policy Objective PHP20 of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 which seeks to ensure the residential amenity of existing homes in the built up area on sites *on sites abutting low density residential development (less than 35 units per hectare) and where the proposed development is four storeys or more, an obvious buffer must exist from the rear garden boundary lines of existing private dwellings*. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.


Note 1

The Board did not share the view of the Inspector or the Planning Authority that the height of the proposed development would be inappropriate at this location having regard to the heights prevailing in the immediate area. However, it was considered that the treatment of the elevation/fenestration combined with the absence of appropriate buffers would provide that the development as proposed would be an inappropriate design solution for the site.

Note 2

The Board also noted and agreed with the concerns expressed by the Transportation Planning Section of the Local Authority in respect of the absence of any details on the site plan in respect of proposed parking spaces and proposals in respect of access/exit to such spaces to facilitate drop off or collection of stored items. Having regard to the substantive reasons for refusal above, the Board decided not to pursue this matter at this time.

**Board Member**

  
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Una Crosse

**Date:** 13/05/2024