

An
Bord
Pleanála

Board Direction
BD-017336-24
ABP-318069-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/08/2024.

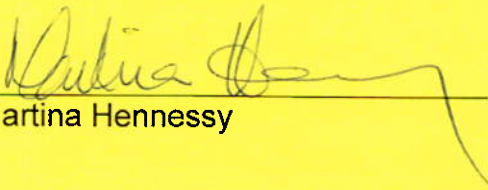
The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

Having regard to the location of the proposed development which occupies a prominent corner site detached from the adjoining neighbourhood centre terrace, the siting of the proposed development relative to the established building line to the south and its relationship with Seafield Crescent road, the design of the east facing elevation comprising of a gable wall in conjunction with the proposal to provide a 2 metre high block boundary wall along the eastern boundary of the site adjacent to Seafield Crescent Road, and having regard to the provisions of Section 12.3.7.5 and Section 12.3.7.7 of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, it is considered that the proposed development would be out of character in comparison to the prevailing built context, would appear visually incongruous on the streetscape and would have a significant negative impact on the visual amenities of the surrounding immediate area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note:

The Board agreed with the Inspector that by reason of its height and design, the proposed development could seriously injure the residential amenities of adjoining residential elements at first and ground floor levels of the adjacent neighbourhood centre, by reason of loss of daylight and overshadowing. The Board considered this a new issue in the context of this appeal, and while ordinarily this would warrant further consideration and a request for further information, in this instance, given the substantive reason for refusal above, it was decided not to pursue this matter under the current appeal. The Board did not agree with the Inspector that the proposed development would be contrary to the provisions of Section 7.5.4.1 Policy Objective RET7 of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, given that residential use is 'permitted in principle' for the NC' zoning for the site. Consequently the Board did not consider that the proposed development would materially contravene the zoning for the subject site as set out in the current development plan.

Board Member
Martina Hennessy**Date:** 29/08/2024