

An
Bord
Pleanála

Board Direction
BD-019289-25
ABP-318986-24

The submissions on this file and the Inspector's report were considered at Board meetings held on 25/03/2025 and 26/03/2025.

The Board decided by a majority of 2:1 to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

Having regard to the A zoning objective and Policy Objective PHP20 of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 which aims to ensure the residential amenity of existing homes in the built up area is protected where they are adjacent to proposed higher density and greater height infill developments, and to the design and layout of the proposed development, including the siting, height, scale, and massing relative to the plot boundaries, the limited separation distances provided and the proximity and relationship to the adjacent dwellings it is considered that the proposed development would have a negative impact on the residential amenities of the properties to the immediate south of the site, by reason of overbearance. The proposed development would seriously injure the residential amenity of property in the vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area.

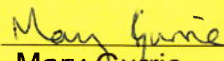
While the Board noted the inspector's concerns regarding the extent of tree loss required for the development, however, having regard to the Arboricultural Assessment and Impact report, the proposed landscaping plan and the observations of the Planning Authority Parks and Landscape Services section, the Board did not consider that this was a reason for refusal in itself. Furthermore, and

notwithstanding the Board's concerns in relation to the design and scale of the development with respect to the impact on the residential amenity of adjoining properties as set out above, the Board did not agree with the inspector's concerns in relation to the visual impact of the proposed development on the streetscape and did not consider this to be a reason for refusal in itself.

Note:

The Board agreed with the inspector that having regard to the internal layout and configuration of Block A and the layout/positioning in particular of Apartments A12, A22, and A32 where the principal outlook from the apartments and their balcony amenity spaces would be onto a largely internal circulation space that would be overlooked with poor outlook and privacy, that the development would fail to provide an adequate level of residential amenity for future residents. 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.

Board Member



Mary Currie

Date: 01/04/2025