



An
Bord
Pleanála

Board Direction
BD-019392-25
ABP-320162-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 03/04/2025.

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

Reasons and Considerations

Having regard to the Dun Laoghaire-Rathdown County Development Plan 2022-2028, and, in particular, Policy Objective PHP20 which seeks to ensure the residential amenity of existing homes, and Section 12.3.7.1 (Extensions to Dwellings) which notes that first floor rear extensions can have potential for negative impacts on the amenities of adjacent properties, it is considered that the proposed development on this prominent corner site, by virtue of its height, depth, scale and massing, would be visually obtrusive and overbearing and would seriously injure the existing residential and visual amenities of the adjacent properties, and would be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board agreed with the Inspector that the principle of development was acceptable, but it was mindful of the site's zoning objective A, which seeks to protect and improve residential amenity. The Board disagreed with the inspector that the proposed scale and massing would be appropriate or in keeping with the development on the site, or that it would not give rise to unacceptable overbearing impacts from number 13 Tivoli Terrace South, or from Tivoli Terrace to the east. The

Board considered that the proposal would result in unacceptable impacts on the visual and residential amenities of adjacent properties and would be contrary to the proper planning and sustainable development of the area.

Note:

The Board noted that proposed removal of rear windows at basement, ground floor and first floor levels, in the context of Policy Objective HER21 of the Dun Laoghaire-Rathdown County Development Plan 2022-2028, which seeks to encourage the retention of features that contribute to the character of exemplar nineteenth and twentieth century buildings, and to encourage the appropriate development of such buildings, to ensure that their character is not compromised. While ordinarily this may have warranted further consideration and a request for further information, in this instance given the substantive reasons for refusal above, it was decided not to pursue these matters under the current appeal.

Board Member



MaryRose McGovern

Date: 04/04/2025