



An
Bord
Pleanála

Board Order
ABP-311728-21

Planning and Development Acts 2000 to 2021

Planning Authority: Dun Laoghaire Rathdown County Council

Planning Register Reference Number: D21A/0697

APPEAL by Castlestar Property Holdings Limited care of Robin Mandal Architects of The Courtyard, 40 Main Street, Blackrock, Dublin against the decision made on the 23rd day of September, 2021 by Dun Laoghaire Rathdown County Council to refuse permission for the proposed development.

Proposed Development: Permission for development at this site consisting of the demolition of the existing one and a half storey structure with pitched roof and the construction of a part two-storey and part 15 storey mixed use development with 13 number two bed apartments with recessed balconies, one number commercial unit, bicycle storage, refuse area and all associated site and infrastructure works; all at Hill Motors, Bath Place, Blackrock, County Dublin.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. Having regard to the overall scale, height, and design of the proposed development, it is considered that the proposed development would have significant overbearing and overshadowing impacts on adjoining properties and the receiving environment in proximity to the proposed development, would seriously detract from the existing visual amenities of the area and would negatively impact on the character of the receiving environment which would result in a poor interface with the urban environment and public realm. The proposed development would be contrary to the “Urban Development and Building Heights Guidelines for Planning Authorities” issued by the Department of Housing, Planning and Local Government in 2018, would not support the delivery of Specific Local Objective number 129, as set out in the Dun Laoghaire Rathdown County Development Plan 2022-2028, to provide for the publicly owned lands at Bath Place, Blackrock for primary public uses and would not be in accordance with the relevant policies of the Blackrock Local Area Plan 2015-2021 (extended to 2025). The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. On the basis of the submissions made in connection with the planning application and the appeal, and in particular the absence of a screening report for Appropriate Assessment, the Board cannot be satisfied that the development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on European sites South Dublin Bay Special Area of Conservation (000210) and South Dublin Bay and River Tolka Estuary Special Protection Area (004024), in view of the sites' conservation objectives and such would be contrary to Part XAB of the Planning and Development Act 2000, as amended. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

DR. *Maria FitzGerald*

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *6th* day of *Sept.* 2022.

