

An  
Bord  
Pleanála

**Board Order**  
**ABP-312423-22**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dun Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D21A/0904**

**Appeal** by Patrick and Jean Staunton care of Jakkulla Architecture and Design of 56A Ramleh Park, Milltown, Dublin against the decision made on the 6<sup>th</sup> day of December, 2021 by Dun Laoghaire-Rathdown County Council to refuse permission.

**Proposed Development:** Demolition of the existing two-storey end-of-terrace retail building with an attic storey, rear single storey storage structure and container. Construction of a part four and five-storey mixed-use development consisting of the following uses: (A) Four number apartments comprising two number one-bed apartments, one number two-bed apartment and one number three-bed apartment (access from Old Dublin Road). Each unit will have access to private amenity space via a balcony and communal amenity space is provided at first floor level. (B) One number retail unit at ground and mezzanine floor levels (access from Old Dublin Road). The development includes 12 bicycle spaces located internally at lower ground floor level (access from St. Laurence's Park), two number car parking spaces along Old Dublin Road, under croft refuse storage, PV panels and Sedum room at roof level and all associated site development works, all at Nimble Fingers, 75 St. Laurence's Park, Old Dublin Road, Stillorgan Village, Dublin.

## Decision


**REFUSE permission for the above proposed development for the reasons and considerations set out below.**

## Reasons and Considerations

1. The proposed development, by virtue of the abrupt transition of height, scale, bulk and form from the north and in close proximity to adjoining property, would appear visually obtrusive, incongruous and overbearing. The proposed development would seriously injure the visual and residential amenities of the area, would set an undesirable precedent for similar development contrary to 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, in its current form, would limit the opportunities for the achievement of a co-ordinated development of the St. Laurence Park corner site and would be piecemeal in nature. The proposed development would adversely impact the amenities of properties in the vicinity, would represent a sub-standard form of development, would militate against the achievement of a building line that enhances the street along the Old Dublin Road and would potentially affect the delivery of the planned public realm changes under the Stillorgan Village Area Movement Framework Plan as only part of the area in front of the site is considered and is not in accordance with the relevant standards for such facilities in new developments. The proposed development would be contrary to the Dun Laoghaire-Rathdown County Development Plan 2022-2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. On the basis of the documentation submitted with the planning application and the appeal, the Board is not satisfied that the proposed development would provide quality communal space and adequate communal facilities for residents. Furthermore, the proposed development would create the potential for overlooking from rear balconies and the roof terrace towards the adjacent permitted development and existing development. The proposed development would be contrary to the Dun Laoghaire-Rathdown County Development Plan 2022-2028 and would, therefore, 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 did not disagree with the Inspector in so far that the proposed development may not technically limit the development potential of adjoining sites. However, in terms of the form and scale of the proposed development, when necessarily judged as a stand-alone proposal, the Board determined that the scheme would be discordant with the immediate context by reason of abrupt transition, scale and form. In this regard, the Board shared the view of the planning authority that the piecemeal form of development would militate against the integration with the surrounding block. Furthermore, the Board determined that elements of the proposed development relating to public realm, provision of open space for prospective residents, and the potential for overlooking, constituted material considerations warranting a refusal of permission in this instance.



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**Mick Long**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

Dated this *29* day of *August* 2023.