

An
Bord
Pleanála

Board Order

ABP-313736-22

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 4052/21

Appeal by Liam Diskin of 31 Ailesbury Mews, Sandymount, Dublin and by others against the decision made on the 9th day of May, 2022 by Dublin City Council to grant subject to conditions a permission to Brian McGettigan care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin.

Proposed Development: Construction of one number three-storey over basement level residential apartment block accommodating three number three-bedroom apartments, each with front, rear and central balconies and each served by a communal gym at basement level, an area of communal amenity space to the rear (west) of the block, a vehicular parking area of three number spaces to the front (east) of the block and bin/bicycle stores at ground level. Provision of new vehicular entrance of 3.4 metres width, and new pedestrian entrance of 1.2 metres width to Strand Road, and all ancillary site development works, inclusive of landscaping, boundary treatment and SuDS drainage necessary to facilitate the development, all at site to the side of 173 Strand Road, Sandymount, Dublin.

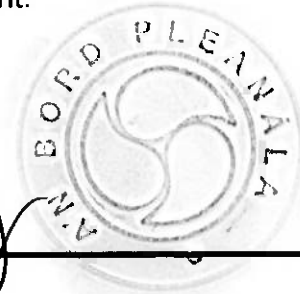
Decision

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

Reasons and Considerations

1. The proposed development, by reason of its specific design, scale, and height, as designed, would be visually incongruous and would significantly erode the historical and architectural integrity of numbers 173 and 175 Strand Road, to which the proposed development would adjoin. The juxtaposition, as currently proposed, of the proposed development alongside numbers 173 and 175 Strand Road would be contrary to Policy BHA9 (Conservation Areas) and the principles outlined in Section 11.5.3 (Built Heritage Assets of the City) of the Dublin City Development Plan 2022-2028, which aim to safeguard non-protected structures that positively contribute to the character of an area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the overbearance, scale and massing of the proposed development, and its extent along the southern boundary, it is considered that the proposed development would have an unacceptable impact on dwellings numbers 173 and 175 Strand Road. The Board also had concerns in relation to the location of the rear balcony on the first floor, given the proximity to neighbouring property. The proposed development would seriously injure the residential amenity of neighbouring properties and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. On the basis of the submissions made in connection with the planning application and the appeal, and in the absence of a Natura Impact Statement, the Board cannot be satisfied that the proposed development, individually or in combination with other plans or projects, would not be likely to have a significant effect on the South Dublin Bay Special Area of Conservation (Site Code: 000210) and the South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code: 004024), or any other European Site, in view of the sites' Conservation Objectives. In such circumstances, the Board is precluded from granting permission for the proposed development.





Mary Cregg

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this 24th day of November 2023.