



An  
Bord  
Pleanála

**Board Direction**  
**BD-008703-21**  
**ABP-309907-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/07/2021.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

#### **Reasons and Considerations**

1. The proposed development would situate a new entrance from Dublin Road, both detracting from the visual prominence of the existing historical entrance to the site (a curtilage feature of Auburn House a Protected Structure RPS No. 448) and resulting in the removal of trees that contribute to a special character that is recognised as worthy of preservation in the County Development Plan. In addition, the proposed development would encroach upon the attendant grounds to the Protected Structure to the east, south and north: the situation of proposed houses to the east of Auburn House would reduce the openness of this historic landscape setting and conflict with the original alignment of the house to the Malahide Castle Demesne; the removal of trees in the south of the woodland surrounding Auburn House and construction of apartment block 7 would harm the integrity of the woodland and its function, informing the setting of the Protected Structure; and the location of blocks up to 6 storeys in height to the north of Auburn House has not been adequately tested visually and may be an inappropriate scale in the setting of this important and well preserved Protected Structure. The combination of these elements would significantly adversely impact the appreciation of the character and setting of the Protected Structure

and its attendant grounds which are currently well-preserved. As a result, the proposed development would negatively impact Auburn House, a Protected Structure (RPS No. 448). The proposed development is therefore contrary to Objectives CH20, CH21 and CH22 of the Fingal Development Plan 2017-2023, the Architectural Heritage Protection Guidelines for Planning Authorities and the Urban Development and Building Heights Guidelines for Planning Authorities. The proposed development would, therefore, be contrary to the proper planning and development of the area.

2. The proposed development is on a site characterised by woodland areas of heritage value and fronting onto the Dublin Road / Malahide Road which exhibits a sylvan character. These features are specifically identified under the Fingal Development Plan 2017-2023 as worthy of preservation. The proposed development would result in the loss of a significant number of trees, tree groups and hedgerows on the site, adversely impacting the integrity of woodland and canopy coverage across the site, to the detriment of the sites special and historical characteristics. As a result, the proposed development would be contrary to Local Objective 57, Objective PM64, Objective CH20, Objective CH21, Objective MALAHIDE 2 and Objective MALAHIDE 11 of the Fingal Development Plan 2017-2023. The proposed development would, therefore, be contrary to the proper planning and development of the area.
3. The proposed development fails to provide a comprehensive assessment of daylight and sunlight within the proposed development; and potential daylight, sunlight / overshadowing impact upon surrounding properties. Therefore, there is insufficient information to determine daylight, sunlight and overshadowing impacts as required under the Fingal County Development Plan 2017-2023 to be in accordance with the methodology in the BRE Site Layout Planning for Daylight and Sunlight: a guide to good practice. As a result, the proposed development would be contrary to Objective DMS30 of the Fingal County Development Plan 2017-2023 and the criteria under 3.2 in the Building Height Guidelines. The proposed development would, therefore, be contrary to the proper planning and development of the area.

Board Member

*Terry Prendergast*

Terry Prendergast

Date: 14/07/2021

**Note:**

The applicant should note that the Board considers that there is inadequate information submitted with the application in relation to the future use of Auburn house and the extent of its associated garden/grounds; the separation to windows in surrounding properties which may be less than 22m in some locations; the appropriateness of pedestrian / cycle infrastructure on the surrounding road network and any proposals to improve this.

