

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dún Laoghaire-Rathdown County

Planning Register Reference Number: D15A/0679

An Bord Pleanála Reference Number: PL 06D.246069

APPEAL by Kavcre Taney Road Limited care of New Generation Homes of 4 Inver Mews, Old Chapel Ground, Arklow, County Wicklow against the decision made on the 17th day of December, 2015 by Dún Laoghaire-Rathdown County Council to refuse permission.

PROPOSED DEVELOPMENT: Retention of Annefield as a single residential unit, removal of a shed (12.5 square metres) to the rear of the house and construction of new boundary treatments comprising a railing along the northern and western boundaries of the dwelling, a wall and gate to its north-east to enclose its rear garden and a retaining wall creating a boundary to house plot number 1. Development will also include the construction of 10 additional residential units comprising three number three-storey terraced Type A dwellings (196 square metres), five number three-storey Type B dwellings (174 square metres) consisting of two number semi-detached units and three number terraced units, one number three-storey detached Type B1 dwelling (174 square metres) and one number two-storey detached Type C dwelling (145.5 square metres). The development will also include for 22 number car parking spaces. Vehicular access to the development will be from the existing entrance to Annefield off Taney Road (R112) where the existing gate will be removed and the eastern gate pier moved and rebuilt to facilitate a realigned entrance. A pedestrian access will be retained off Kilmacud Road Upper (R826). Permission will also include all associated site development works, including; boundary treatment, all hard and soft landscaping, private and public open spaces and site services to include connection to the public sewer and public watermains, all on a site of circa 0.605 hectares at Annefield, Taney Road, Dundrum, Dublin. Annefield is a protected structure (RPS number 1040).

DECISION

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

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the design and layout of the proposal, to the proximity of the three-storey flat roofed houses Type A to the protected structure without any effort to form a transitional area between the flat-roofed modern design of these houses and the hipped roof of the protected structure, to the failure of the scheme to have its layout informed by the existing high quality trees on site which contribute to the quality and setting of the protected structure, including trees reference numbers 254, 257 and 209 as referred to in CMK drawing number 101 received by the planning authority on the 27th day of October, 2015, to the failure to protect trees on the approach avenue to the development, inter alia by narrowing the access way at certain points and providing passing bays, given that this avenue would have formed an important part of the setting of the protected structure, and to the proposal to form a passageway surrounded by high walls in the vicinity of proposed house number 04, which would damage the character of the pedestrian access way to the protected structure, the Board considered that the proposal would seriously injure the setting of a protected structure.

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

Dated this day of 2016.