

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dún Laoghaire-Rathdown County

Planning Register Reference Number: D15A/0716

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APPEAL by Sepray care of Stephen Little and Associates of 6 Upper Mount Street, Dublin against the decision made on the 19th day of January, 2016 by Dún Laoghaire-Rathdown County Council to refuse permission.

PROPOSED DEVELOPMENT: Development consisting of 51 number dwellings comprising of: 21 number apartments in a building ranging in height from three to five storeys consisting of five number one bed units, 14 number two bed units and two number three bed units, including balconies or terraces and solar panels on the roof; 30 number terraced/detached houses ranging in height from two to three storeys consisting of four number two bed houses, nine number three bed houses and 17 number four bed houses, including private gardens and solar panels on the roof and all associated site development and landscaping works including public open space (circa 1,270 square metres), communal open space (circa 195 square metres) and boundary treatments, provision of a communal bin store and plant room within the apartment block, an ESB unit sub-station (circa 4 square metres) and 95 number surface car parking spaces and 59 number bicycle spaces in a variety of locations across the site. Vehicular access is provided via the existing 'Cartref' access to the Old Bray Road which is to be widened to provide two-way access and a footpath and the existing 'Ards' vehicular access to the Old Bray Road is to be retained to serve one number proposed dwelling. The proposed development involves the demolition of two number existing dwellings 'Cartref' (circa 206.5 square metres) and 'Ards' (circa 263 square metres) and associated outbuildings and provides for a future pedestrian link to the existing public open space, alongside Cabinteely Stream, adjoining to the west. Permission is also being sought for the laying of a new surface water sewer outfall to Cabinteely Stream and a new foul sewer connection to the existing public foul sewer also located to the west of the site, all on circa 1.26 hectares sites at 'Cartref' and 'Ards', Old Bray Road, Cabinteely, Dublin. This application relates to a proposed development within the Cherrywood

Strategic Development Zone but is outside the boundary of the Cherrywood Strategic Development Zone Planning Scheme.

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

1. It is the policy of the planning authority as set out under RES3 of the Dún Laoghaire-Rathdown Development Plan 2016-2022 to promote higher residential densities. The site is located within 500 metres of a Priority 1 Quality Bus Corridor and close to a Luas Line, where higher densities at a minimum of 50 units per hectare will be encouraged. The site is not considered to be unduly constrained by heritage or other features, which might justify a reduction in densities. It is considered that the selected housing typology, specifically the large number of own-door units has unduly constrained the achievement of higher densities. The proposed development would, therefore, set an undesirable precedent for similar sites, would contravene the provisions of the development plan and would be contrary to the proper planning and sustainable development of the area.

2. The proposed development by reason of the layout, separation distances and detailed design of residential units, the poor disposition of public open space and connectivity through the site and the nature of the interface with the future linear park to the west, would constitute a substandard form of development which would seriously injure the amenities of the area and be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2016.