

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dún Laoghaire-Rathdown County

Planning Register Reference Number: D15A/0768

An Bord Pleanála Reference Number: PL 06D.246224

APPEAL by Celsus MacDonnell care of Ray MacDonnell Architects of 54 Dunville Avenue, Ranelagh, Dublin against the decision made on the 4th day of February, 2016 by Dún Laoghaire-Rathdown County Council to refuse permission.

PROPOSED DEVELOPMENT: Construction of 15 number dwellings comprising 14 semi-detached and one number detached two-storey three bedroom 113.5 square metres dwellings to the rear of an existing dwelling on a 0.545 hectare site, with ancillary services, roads, landscaping and associated works. Two number units for family need. All at 'Rockhurst', Enniskerry Road, Kiltiernan, Dublin.

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 in the Kiltarnan/Glenamuck Local Area Plan, 2013, that land parcel 12, within which the subject site is located, shall be accessed from the proposed indicative loop road to the south of the site. The Board is not satisfied, on the basis of the evidence presented, and particularly in the absence of legal documentation and timescales for completion of the permitted access road, that the proposed development could be completed in accordance with this requirement of the local Area Plan. It is, therefore, considered that the proposed development would be premature pending the construction and completion of the adjacent access route through the lands to the south of the site to serve the proposed development, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the location of the open space provision to the north-east of the site, and the layout of the proposed residential scheme, it is considered that there would be a lack of good passive surveillance of the open space and limited connectivity between the proposed open space and the dwellings. This would result in a poor form and design of residential development and result in a sub-standard level of amenity for the future residents. Furthermore, by reason of the proposed residential layout, it is considered that the proposed development would be poorly integrated with the permitted development to the south of the subject site, leading to overlooking of gables and rear gardens within that development by houses in the proposed development, and, therefore, would result in a poor level of residential amenity for the residents of the proposed development. The proposed development would, therefore, 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.