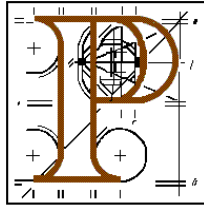


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dún Laoghaire-Rathdown County

Planning Register Reference Number: D15A/0778

An Bord Pleanála Reference Number: PL 06D.246228

APPEAL by Henry Moore on behalf of Watson Killiney Residents Association care of 9 Auburn Close, Killiney, County Dublin and by Crekav Landbank Investments Limited care of New Generation Homes of 4 Inver Mews, Old Chapel Ground, Arklow, County Wicklow against the decision made on the 5th day of February, 2016 by Dún Laoghaire-Rathdown County Council to refuse permission to the said Crekav Landbank Investments Limited.

PROPOSED DEVELOPMENT: Development consisting of demolition of three dwellings (Smallacre, Rockwinds, and fire damaged Woodlawn), Church Road and outbuilding and extensions to Kylemore clinic building; replacement of three vehicular accesses onto Church Road with one pedestrian and cycle access; construction of residential development with access onto Watson Road consisting of 65 units as follows: 20 semi-detached houses (11 number four bedroomed two-storey, five number five bedroomed three-storey and four number five bedroomed two/three storey) and 11 detached houses (five number four bedroomed two-storey, four number five bedroomed three-storey and two number five bedroomed two/three storey) all with off street parking; change of use of the former Kylemore Clinic from institutional to residential use accommodating five number two bedroomed apartments and one number three bedroomed apartment; construction of four storey apartment block with 28 apartments (20 number two bedroomed and eight number three bedroomed apartments); redesign of Number 43 Watson Road to include removal of part of the house and provision of rear extension, resulting in a three bedroom house; redesign of Gate Lodge to include removal of part of the house and provision of rear extension, resulting in a three bedroomed house with access onto Church Road; the provision of 130 car parking spaces

(both underground and surface); all associated site development, landscaping, boundary treatment works, services provisions, plant and ancillary works; development all on a site circa 2.4 hectares consisting of “Kylemore”, “Smallacre”, “Woodlawn” and “Rockwinds”, Church Road and Number 43 Watson Road, Killiney, County Dublin (development as described in the public notice received by the planning authority on the 4th day of December, 2015).

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. Having regard to the nature, scale and location of the proposed four-storey apartment building and its proximity to Kylemore House, it is considered that the proposed development lacked in quality open space and compromised the integrity of the setting of the house and the open character of the area. In addition, the layout is contrary to Section 8.2, Development Management Part (xi): Institutional Lands as set out in the Dún Laoghaire-Rathdown County Development Plan 2016 - 2022 regarding the redevelopment of “institutional lands” which sets out to ensure that the essential setting of the lands and the integrity of the main buildings are retained. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that the layout of the proposed development is deficient in terms of quality open space. In particular, serious concerns exist that the main area of public open space, by virtue of its location within the very southern end of the site and to the south of the proposed apartment block, will be separated both visually and physically from the majority of the development. This would contravene guidance set out in the Public Open Space Standards Section 4.2.2.4 Policy OSR5 of the Dún Laoghaire-Rathdown County Development Plan 2016-2022, which emphasises “the need for quality in public open spaces in terms of design, robustness, accessibility, biodiversity and passive supervision/overlooking”. The proposed development would, therefore, be sub-standard in terms of layout and public open space provision, would seriously injure the amenities of future residents and would be contrary to the proper planning and sustainable development of the area.

3. The Board was not satisfied, notwithstanding the proposed remedial works to the foul and surface water sewers in Watson Road, that the development could be adequately accommodated into the existing public foul and surface water systems, and in particular, was not satisfied that the applicant had adequately demonstrated that the foul drainage system in the wider area had sufficient capacity to accommodate additional flows from the proposed development (and related proposed development under An Bord Pleanála Reference Number PL06D.246229), even after the provision of these remedial works. It is considered that the proposed development would, therefore, be prejudicial to public health and 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.