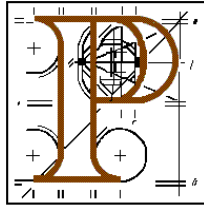


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dún Laoghaire-Rathdown County

Planning Register Reference Number: D15A/0772

An Bord Pleanála Reference Number: PL 06D.246252

APPEAL 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.

PROPOSED DEVELOPMENT: Development consisting of (1) the construction of 108 number apartments in two separate blocks (Block A and B) over four-storeys with basement car-parking, within the 'Walled Garden' consisting of: eight number one-bed apartments (62.4 square metres), 80 number two-bed (85-92.6 square metres), 16 number three-bed (101.3-104.1 square metres) and four number three-bed duplex apartments (120 square metres). A section of the south-western portion of the 'Garden Wall' will be removed to provide vehicular and pedestrian access to the apartments within the 'Walled Garden'. It is also proposed to retain, refurbish and relocate the existing granite fountain within the 'Walled Garden' and (2) within the existing 'Farm Building Complex' (Stable buildings and Yard), it is proposed that these will be retained and refurbished with some opes and sections partially demolished and some re-built to provide for six number duplex units (Block C, part single-part two-storey) as follows: one number one-bed (74.2 square metres), three number two-bed (89.6 square metres, 96.7 square metres and 110.8 square metres), two number three-bed (117.3 square metres and 120 square metres). A separate vehicular and pedestrian access will be provided for these units using the existing site entrance with modifications. Permission will also include all associated site development works above and below ground, including boundary treatment, hard and soft landscaping including permeable surfaces and play areas and all private and public open spaces; provision for 139 number basement parking spaces, seven number surface parking spaces and 138 number bicycle spaces, bin storage and provision of foul, surface water and water services on site with connections to existing ones. This application relates to a protected structure, all on a site of

approximately 1.078 hectare at 'The Walled Garden and Farm Building Complex' together which form a protected structure (RPS 1453), 'Gort Mhuire', Wyckham Place, Wyckham Point, Dundrum, 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 considered that the proposed development, by reason of the monolithic nature of its design, and by reason of its height orientation, scale, and massing on a constrained site, would constitute significant overdevelopment of a site of particular heritage sensitivity, would result in a poor quality layout which would be substandard in amenity, and in particular in terms of the provision and layout of communal amenity space for the new residential units, and would cause unacceptable overbearing impacts on the existing elements of a protected structure on this site. The proposed development would, therefore, conflict with the provisions of the development plan, would adversely impact on residential amenity, would provide a poor quality of residential amenity for future residents, would seriously injure the residential and other amenity of the area and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the proximity of the proposed apartment blocks to the garden walls on the site which form part of protected structure listed in the Record of Protected Structures in the Dún Laoghaire-Rathdown County Development Plan 2016-2022 (RPS Number 1453), to their adverse overbearing and visual impacts in terms of the scale, height, massing and alignment of the development relative to the designated features of the protected structure on this site, as well as the overbearing impact on the farm building complex, the potential adverse impacts on the integrity of this structure arising from proposed excavation works, it is considered that the proposed development would significantly impact on the special character and appearance of the protected structure on this site, would be incompatible with the special interest of the protected structure, would detract from their significance and value and would adversely affect their setting and amenity. The proposal would not, therefore, be in accordance with 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.