

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dún Laoghaire-Rathdown County

Planning Register Reference Number: D15A/0251

An Bord Pleanála Reference Number: PL 06D.246289

APPEAL by Owenstown Lodge Management Company Limited and others care of Kieran O'Malley and Company Limited of Saint Heliers, Saint Heliers Copse, Stillorgan Park, Blackrock, County Dublin against the decision made on the 16th day of February, 2016 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Ellen Cranley care of Gilligan Architects Limited of 20 Anglesea Road, Ballsbridge, Dublin.

PROPOSED DEVELOPMENT: Material alterations and material change of use to change existing part office use to residential use for two number apartments on the lower ground floor level of existing building. Works consist of the removal of internal walls, construction of new internal walls and alterations to south-west elevation to create apartment number 1: one bedroom apartment of 70.8 square metres and apartment number 2: two bedroom apartment of 93 square metres. Site alterations to include: construction of new walls for the creation of private open space to the apartments and associated drainage and site works. All at Owenstown House (protected structure), Foster's Avenue, Blackrock, County 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

Notwithstanding that the proposal to convert the lower ground floor units of Owenstown House from office use to residential use accords with the zoning objective for the area, the Board considered that the proposed private open space to be allocated to the two apartments fails to provide a satisfactory level of amenity having regard to its location at one metre below ground level, its existing function as a passageway, the degree to which it would be overlooked by the adjacent residential development of Owenstown Lodge and its overshadowing by existing planting in place. The proposed development fails to comply with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas issues by the Department of the Environment, Heritage and Local Government in May, 2009 in terms of daylighting and quality open space. The proposed development would result in a substandard form of development and would, therefore, seriously injure the amenity of property in the vicinity 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.