

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dún Laoghaire-Rathdown County

Planning Register Reference Number: D15A/0809

An Bord Pleanála Reference Number: PL 06D.246294

APPEAL by Charton Homes Limited care of McGill Planning Limited of 1st Floor, 7 Fitzwilliam Street Upper, Dublin against the decision made on the 16th day of February, 2016 by Dún Laoghaire-Rathdown County Council to refuse permission.

PROPOSED DEVELOPMENT: Construction of 50 number dwelling units comprising 15 number detached, 20 number semi-detached and 15 number terraced houses ranging in size from circa 115 square metres to circa 273 square metres arranged across one-three storeys with garden sheds to the rear, new boundary treatments to the east (Ferndale Road) and north (Rathmichael Haven) including provision of new boundary treatments to the front of Shankill House, new vehicular entrance to the east at Ferndale Road, vehicular entrance to the north remains as permitted with proposed realignment of access road to Shankill House (under planning register reference number D14A/0110), all associated site development, landscaping and services provision at (circa 3.05 hectare site) located within the attendant grounds of Shankill House, Ferndale Road, Shankill, Dublin. Shankill House is a Protected Structure (RPS Number 1829).

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

The site of the proposed development is located in an area lacking in community facilities and with poor connectivity and remote from public transport, neighbourhood facilities and at a location poorly served by supporting infrastructure including adequate footpaths, public lighting and wastewater treatment facilities. It is considered that residential development of the scale proposed would result in uncoordinated, piecemeal and an unsustainable car dependent form of development which would be contrary to the Ministerial Guidelines set out in the Sustainable Residential in Urban Areas Guidelines issued by the Department of the Environment, Heritage and Local Government in May, 2009. Furthermore, it is considered that, by reason of pedestrian/vehicle conflict along the local road network serving the site, significant sections of which are rural in character and lacking in public footpaths, the proposed development would endanger public safety by reason of a traffic hazard. Accordingly, it is considered that the proposed development would be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, notwithstanding the residential zoning of the site, the Board did not share the Planning Inspector's conclusions in relation to the principle of development of the scale being proposed on this site in the absence of a more co-ordinated approach to development in the area and pending the provision of infrastructural improvements to the area, including to roads, footpaths and sewerage that would support a development of the nature and scale being proposed.

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

Dated this day of 2016.