

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dún Laoghaire-Rathdown County

Planning Register Reference Number: D16A/0370

An Bord Pleanála Reference Number: PL 06D.247083

APPEAL by Tomose Limited care of Manahan Planners of 38 Dawson Street, Dublin against the decision made on the 18th day of July, 2016 by Dún Laoghaire-Rathdown County Council to refuse permission.

PROPOSED DEVELOPMENT: Demolition of the existing four-storey building containing Kennedy's pub and Union café/restaurant and construction of a four to five storey mixed use building of 15,800 square metres gross floor space, over a one to three level basement (from Deerpark Road datum). The building will have parking for retail customers (113 cars) at Level -3, one retail unit (1,300 square metres), one service yard and ancillary facilities, one gymnasium (350 square metres) and one café (265 square metres) at Level -2, three further retail units (totalling 450 square metres), car parking for residents (72 cars, 46 bicycle spaces) and an open public terrace at Level -1, one restaurant (410 square metres), one pub (200 square metres), and two courtyards with a play area at Level 0 (1,040 square metres). A roof garden is to be located at Level +3 (200 square metres). 46 residential dwelling units (three one bed, 34 two bed and nine three bed units) located across Levels 0 to 4, amenity spaces for residents located across Levels 0 to 4, and ancillary site works to include boundary treatment and landscaping. Various plant provisions are located throughout the building. 38 non-resident bicycle spaces will also be provided on-site. Vehicular and pedestrian access to the development will be from Deerpark Road, North Avenue and Wilson Road, all at Kiely's site, Deerpark Road, North Avenue and Wilson Road, Mount Merrion, 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

Having regard to the site's prominent location and to the character of the area, it is considered that the proposed development, by reason of scale, siting, layout, bulk and height, would not comprise an appropriate design response and would relate poorly to its receiving environment; seriously detracting from the area in terms of visual amenity. Furthermore, the quantum and form of retail raises concerns with regard to traffic generation. The proposed development would, therefore, seriously injure the visual amenity of the area and would 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.