

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Dún Laoghaire-Rathdown County

Planning Register Reference Number: D16A/0442

An Bord Pleanála Reference Number: PL 06D.247206

APPEAL by Orwell Homes Development Limited care of Simon Clear and Associates of 3 Terenure Road West, Terenure, Dublin against the decision made on the 8th day of August, 2016 by Dún Laoghaire-Rathdown County Council to refuse permission.

PROPOSED DEVELOPMENT: Demolition of existing dwelling, construction of four number semi-detached four-bedroom dormer style dwellings with three levels of accommodation at lower ground floor, ground floor and first floor dormer/roof levels, construction of retaining wall to rear and side of dwellings, two vehicular entrances from Orwell Road, landscaping and boundary treatments, and site development works and services at number 157 Orwell Road, Churchtown, 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. Having regard to the location of the proposed development on elevated ground above the adjoining residential development of Orwell Gardens, and to its scale, bulk and height, and notwithstanding the changes between the present proposal and that refused by the Board under file appeal reference numbers PL 06D.244793 and PL 06D.243106, it is considered that the proposed development would continue to represent significant overdevelopment of this site, would give rise to an overbearing appearance and would be visually obtrusive, when viewed from adjoining properties in Orwell Gardens, and especially those to the north and northwest of the site. The proposed development would seriously injure the residential amenities of adjoining properties and would contravene the zoning objective of the Dún Laoghaire-Rathdown County Development Plan 2016–2022, to protect and/or improve residential amenity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to its overall layout and design, it is considered that the proposed development would represent an unimaginative and inappropriate response to the constraints of this site and to its wider context, including the pattern of existing development in the vicinity, and would provide a limited quality of residential amenity for future residents by virtue of the short depth of rear garden space, its northerly aspect and concerns of overshadowing. Furthermore, it is considered that the internal layout of the proposed dwellings and in particular the residential amenity of bedrooms 3 and 4 would represent a poor level of amenity for the future occupants in terms of natural light and ventilation. The proposed development would, therefore, 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 2017.