



An
Bord
Pleanála

Board Order
PL 06D.247966

Planning and Development Acts 2000 to 2017

Planning Authority: Dun Laoghaire-Rathdown County Council.

Planning Register Reference Number: D16A/0822.

Appeal by Ann-Marie Nohl care of Edmondson Architects of 83 Waterloo Lane, Dublin against the decision made on the 11th day of January, 2017 by Dun Laoghaire-Rathdown County Council to refuse permission to the said Ann-Marie Nohl.

Proposed Development Construction of eight number new four-bedroom houses with ground floor at the level of the existing entrance driveway of Roselands on Falls Road and three floors below said ground floor level and relying on the existing vehicular entrance off Falls Road via Roselands, reduction of the footprint of the existing house at Heron's Ghyll and addition of a new first floor with balcony onto same, de-commissioning of the existing septic tank serving Roselands and connection of the foul sewer from Roselands into new system connecting to local authority main sewer on Cherrywood Road, erection of a replacement pedestrian bridge, opening of a new pedestrian entrance gate on Cherrywood Road, carrying out woodland maintenance works and various other associated site works, all at Heron's Ghyll, Cherrywood Road, Loughlinstown, County Dublin.

Decision

REFUSE permission for the above proposed development in accordance with 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. The development of the subject site is premature pending the provision of a coordinated and wider planning strategy/framework for the area and pending the upgrading of the existing local network to facilitate increased traffic and pedestrian levels as well as facilitating better linkages to the public transport infrastructure in the area. A coordinated approach is needed among the landowners as the current approach would lead to piecemeal and haphazard development as well as potentially leading to development that does not make sufficient use of zoned land in close proximity to existing and future public transport infrastructure (Luas line B1). The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that the proposed development, which involves significant alteration to the existing embankment and the loss of trees, fails to consider the biodiversity and ecological importance of the site and could potentially impact negatively upon the natural heritage importance of this site, the county wide ecological network, the non-designated areas of biodiversity importance and the Loughlinstown River, and would be contrary to Policies LHB23: Non-Designated Areas of Biodiversity Importance, LHB24: County Wide Ecological Network and LHB25: Rivers and Waterways, as set out in the Dun Laoghaire Rathdown County Development Plan 2016-2022. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. It is considered that the proposed terrace of eight houses, by reason of its elevated location on a steeply sloped embankment, and by reason of its design, scale, and bulk, would represent a visually obtrusive element when viewed from Cherrywood Road. Furthermore, by reason of its height, design and the orientation of windows and balconies, the proposed development would have an overbearing impact upon the existing dwelling on site and the dwelling to the north of the site ('Windermere') and result in a loss of privacy at these existing dwellings. The proposed development would, therefore, be visually obtrusive, would seriously injure the residential amenities of the existing dwellings in the vicinity, and would be contrary to the proper planning and sustainable development of the area.

