

Board Order PL 06S.248657

## Planning and Development Acts 2000 to 2017 Planning Authority: South Dublin County Council Planning Register Reference Number: SD17A/0096

**Appeal** by Homehall Developments Limited care of Brock McClure of 63 York Road, Dun Laoghaire, County Dublin against the decision made on the 11<sup>th</sup> day of May, 2017 by South Dublin County Council to refuse permission.

**Proposed Development**: Construction of two number three bedroom courtyard style dwellings (circa 131 square metres and circa 137 square metres respectively) of 1-1.5 storeys in height on lands to the rear of Bolton Hall (a protected structure). The proposal will also provide for private open space areas serving each dwelling; four number additional car parking spaces; new boundary treatment including works to the existing wall and all associated site development, site services and landscape works. The site is located in the overall Bolton Hall development (accessed via Ballyboden Road), for which a parent permission was granted under planning register reference number SD11A/0244 and An Bord Pleanála appeal reference number PL06S.241039, all on site of circa 0.06 hectares on lands at Bolton hall, Ballyboden Road, Rathfarnham, 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 proposed development would materially contravene condition number 2(a) of An Bord Pleanála appeal reference number PL06S.241039 whereby the proposed site is designated for use as public open space as per the parent permission in order to protect the open character and setting of the protected structure, and would, therefore, be contrary to the proper planning and sustainable development of the area.
- 2. Having regard to the substantial residential development on the site and its relationship to Bolton Hall (protected structure RPS Reference 286), and notwithstanding the revised proposals presented on appeal, it is considered that the proposed development on the subject site would interfere with the relationship of Bolton Hall and the Paper Mill, would intrude onto the open space setting around the main dwelling, and by its design and layout would have an unacceptable adverse effect on the visual amenities of the area. 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