

Board Order PL 06D.249113

Planning and Development Acts 2000 to 2017

Planning Authority: Dun Laoghaire-Rathdown County Council

Planning Register Reference Number: D17A/0513

Appeal by Florian Mayer of 43 Taney Rise, Dundrum, Dublin and by others against the decision made on the 1st day of August, 2017 by Dun Laoghaire-Rathdown County Council in relation to the application by Duff and Phelps (Ireland) Limited care of McGill Planning Limited of Number 7 Fitzwilliam Street Upper, Dublin for permission for development comprising modifications to permission granted under planning register reference number D13A/0490 (An Bord Pleanála reference number PL 06D.242786) as follows: (1) Revised design (internal and elevations) to permitted A, A1, A2, A3, B, B1, F and F1 house types with the four-bed, detached A/A3 types increased from circa 130 square metres to circa 165 square metres; the four-bed detached A1/A2 types increased from circa 145 square metres/circa 152 square metres to circa 185 square metres/circa 192 square metres respectively; the fourbed, semi-detached B/B1 types increased from circa 133 square metres/circa 144 square metres to circa 148.5 square metres /circa 164 square metres respectively; and the four-bed detached F/F1 types increased from circa 128 square metres to circa 155 square metres. (2) Reduction in the number of permitted units by one with two number Type C units replaced by one number A1 type. (3) The remainder of the development to be carried out in accordance with parent permission granted under planning register reference number D13A/0490 (An Bord Pleanála reference number PL 06D.242786), all on a site of circa 0.71 hectares located at the former Taney

Nurseries and Number 8 Taney Road, Dundrum, Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions a permission for revised design (internal and elevations) to permitted A, A1, A2, A3, B, B1, F and F1 house types with the four-bed, detached A/A3 types increased from circa 130 square metres to circa 165 square metres; the four-bed detached A1/A2 types increased from circa 145 square metres/circa 152 square metres to circa 185 square metres/circa 192 square metres respectively; the four-bed, semi-detached B/B1 types increased from circa 133 square metres/circa 144 square metres to circa 148.5 square metres/circa 164 square metres respectively; and the four-bed detached F/F1 types increased from circa 128 square metres to circa 155 square metres and to refuse permission for the reduction in the number of permitted units by one with two number Type C units replaced by one number A1 type).

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

Having regard to this application, which is described as a modification of a previous permission granted under planning register reference number D13A/0490 (An Bord Pleanála reference number PL 06D.242786), it is considered the site to which the application relates, as defined by the boundary in red on the urban place map accompanying the application would, if permitted, result in a site without access or egress and would be effectively 'landlocked'. The proposed development would, therefore, seriously injure the amenities of the area and 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, the Board had concerns regarding the nature of the application in terms of a modification to a previously granted planning permission and the access and egress to the proposed development.

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

Dated this day of 2018

PL 06D.249113 Board Order Page 3 of 3