



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 3943/17

APPEAL by Michael McKenna care of MSW and Associates of Unit 1P, KCR Estates, Kimmage, Dublin and by Aisling Harrison and Bart Casella and others care of Stephen Little and Associates of 26/27 Upper Pembroke Street, Dublin against the decision made on the 24th day of January, 2018 by Dublin City Council to grant subject to conditions a permission to Insignia Investments Limited care of MGill Planning Limited of 7 Fitzwilliam Street Upper, Dublin.

Proposed Development: Construction of three number two-storey dwellinghouses comprising one number detached house (circa 210 square metres) and two number semi-detached houses (circa 213 square metres each). All associated site development works, services provision, access, car parking, landscaping and boundary treatment works on a site of circa 0.12 hectares on lands at The Barn, Riversdale Avenue, Bushy Park Road, 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. Having regard to its height, scale, bulk and massing, and of its design, which includes substantial pitched gabled roofs and projecting chimneys, it is considered that the proposed development would be visually incongruous and out of character with its surroundings, and in particular would have a detrimental impact on the character and setting of Riversdale House, a protected structure, and its attendant grounds, contrary to the principles set out in the Architectural Heritage Protection Guidelines for Planning Authorities, reissued by the Department of Arts, Heritage and the Gaeltacht in October, 2011 and would not be appropriately respectful of, and sympathetic to, the context and ensemble set by Riversdale House and the other historic structures in the vicinity, namely Riversdale and "The Barn". The proposed development would, therefore, be contrary to these Ministerial Guidelines, would seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the bulk and extent of the proposed development, which comprises three substantially sized houses on a confined site, with minimal separation distances between the proposed detached and semi-detached houses, and between house number 3 and the southern site boundary, and a cramped layout to the front, necessitating the use of a right of way external to the site for necessary traffic manoeuvring movements, it is considered that the proposed development would constitute overdevelopment and would, therefore, 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 did not accept her view that the proposed development was appropriately scaled within the context of the existing development in the vicinity, and in particular having regard to the nearby historic structures of "The Barn", Riversdale and Riversdale House, for the reasons outlined in its Order. In addition, having regard to the confined nature of the site, which relies on a right-of-way external to the site for necessary traffic manoeuvring movements, and which is bounded on all sides by existing residential development and the aforementioned historic structures and their curtilages, the Board was of the view that the proposal represented over-development, and did not agree with the Inspector that the impact on the setting of Riversdale House was acceptable.

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

Dated this day of 2018.