



Planning and Development Acts 2000 to 2018

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D18A/0438

APPEAL by Windsor Homes Limited care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 3rd day of July, 2018 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

Proposed Development: (i) Demolition of existing single-storey commercial unit and ancillary single-storey flat roofed concrete block outbuildings to the rear; (ii) construction of seven number dwellings (two number single storey two-bedroom apartments, two number two-storey three-bedroom townhouses and three number three-bedroom duplex apartments); (iii) refurbishment and conversion of existing former forge building to provide two number two-storey two-bedroom townhouses; (iv) 13 number parking spaces, bicycle parking and private gardens to each dwelling; (v) upgraded vehicular entrance on Barnhill Road, internal road, footpaths, shared surfaces and street lighting; (vi) landscaping, tree planting and boundary treatments; (vii) alterations to site levels, SuDS surface water drainage, refuse store, foul water and potable water connections and (viii) all ancillary works necessary to facilitate the development at 34 Barnhill Road, Dalkey, 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. Having regard to the established built form and character of the street and to the existing buildings on the site which are considered to be of importance to the streetscape, it is considered that the proposed development, which provides for the demolition of the existing single storey garage/former school building would be incongruous in terms of its design and out of character with the streetscape. The proposed development provides an inadequate design response to this sensitive infill site, would be of insufficient architectural quality and would seriously injure the visual amenities of the area. The design is not considered appropriate to justify the demolition of the existing structure on the site. The proposed development would be contrary to the stated policy of the planning authority, as set out in the current Development Plan under Policy AR5 to encourage the rehabilitation and suitable reuse of buildings which make a positive contribution to the character and appearance of the streetscape and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development due its overall scale, height, siting and limited set back from the eastern boundary would be visually obtrusive when viewed from the rear garden of number 36 Barnhill Road. It is considered that the proposed development would be overbearing. The Board is also not satisfied that the proposed development would unduly not overshadow the adjoining private amenity space of this dwelling. The proposed development would, therefore, seriously injure the residential amenities of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.

3. It is considered that the scale and distribution of both communal public open space and private open space within the proposed development would fail to provide an adequate level of amenity for future residents of the development. The proposed development would be contrary to the requirements set out in Section 8.2.8 of the Dún Laoghaire-Rathdown County Development Plan regarding Open Space and Recreation. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2019.