



Planning and Development Acts 2000 to 2018

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD18A/0181

APPEAL by Sequana Assets Limited care of CDP Architecture of 4 The Mall, Main Street, Lucan Village, County Dublin against the decision made on the 12th day of July, 2018 by South Dublin County Council to refuse permission for the proposed development.

Proposed Development: Part demolition of the existing wall along Stocking Lane and the construction of a three to four storey development of 19 residential units consisting of: nine number houses (eight number four bed and one number three bed), eight number apartments (four number three bed, two number two bed and two number one bed) and two number duplex units (three bed). Development also includes the proposed new vehicular entrance off Stocking Lane to the ground floor enclosed car parking area, associated rear gardens for the houses at podium level, associated private open space in the form of balconies for the apartments and landscaped public open space. Both Prospect House and the Gate Lodge are to remain intact. All with associated signage, landscaping, street lighting, drainage, site works and ESB substation at Prospect House (a Protected Structure RPS Number 340), Stocking Lane, 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. Having regard to the existing character and the prevailing pattern of development and the presence of a structure on site of architectural interest which is listed as a Protected Structure in the current Development Plan for the area, for which no proposals for its upkeep or maintenance are submitted or proposed, it is considered that the proposed development, by reason of its overall layout, and its scale, height, massing and design, together with the extensive removal of the front boundary wall, would be out of scale with its surroundings, would represent an overdevelopment of the site, would dominate and seriously detract from the architectural character and setting of Prospect House, Protected Structure RPS Number 340, and of the streetscape generally. The proposed development would, therefore, materially and adversely affect the character of this Protected Structure, would be contrary to the requirements of HCL Policy 3 Protected Structures of the South Dublin County Development Plan 2016-2022, 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 prominent location of the site, to the established built form and character of Stocking Lane and to the existing buildings and boundary walls of Prospect House, protected structure, on the site which are considered to be of importance to the streetscape, it is considered that the proposed development would be incongruous by reason of its design, scale, bulk, fenestration, height and design, which would be out of character with the streetscape and would set an undesirable precedent for further inappropriate development in the vicinity of the site. The design is not considered to justify the demolition of the existing boundary walls of the site, which comprise the curtilage of Prospect House, a protected structure. The proposed development would, therefore, seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

3. Having regard to the information presented in support of the proposed development, together with the proposed undercroft car park, it is considered that the proposed development would result in an inappropriate form of development which would preclude access for service vehicles and emergency vehicles. In addition, having regard to the scale of the proposed development and the traffic to be generated by it, together with the proposed layout of the site, it is considered that the additional traffic associated with the proposed development would endanger public safety by reason of traffic hazard and would lead to conflict between road users, that is, vehicular traffic, pedestrians and cyclists.

4. Having regard to the design, bulk and height of the proposed development and its proximity to neighbouring residential properties, it is considered that the proposed development would seriously injure the residential amenities of such neighbouring properties by reason of overlooking and would be overbearing in its context. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

5. The proposed development would not be in compliance with the Sustainable Urban Housing Design Standards for New Apartments Guidelines for planning authorities issued by the Department of the Environment, Heritage and local Government in December, 2015. The proposed development would, therefore, be contrary to the Ministerial Guidelines issued under section 28 of the Planning and Development Act, 2000, as amended.

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

Dated this day of 2019.