



Planning and Development Acts 2000 to 2019

Planning Authority: Dun Laoghaire Rathdown County Council

Planning Register Reference Number: D19A/0091

APPEAL by Margaret Ryan care of Manahan Planners of 38 Dawson Street, Dublin against the decision made on the 4th day of April, 2019 by Dún Laoghaire-Rathdown County Council to refuse permission.

Proposed Development: A new five-bedroom, two-storey dwelling, a single storey, detached garage, widening of existing vehicular entrance to Cunningham Road and associated site works, all within a site to the rear of “Ardfallen”, Cunningham Road, Dalkey, County Dublin. (A Protected Structure).

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

The proposed development is located on a site of some 0.9 hectares, which is zoned for residential use and is proximate to a high frequency public transport service, via Dalkey DART station. In addition, although within the curtilage of a protected structure, the site is positioned to the north of a natural division line within the overall garden area of the protected structure and provides a potential separate site for the purposes of residential development. Having regard to the provisions of the National Planning Framework (2018) specifically National Policy Objective 35, the Ministerial Guidelines, “Urban Development and Building Heights” (2018), specifically SPPR1 and the Ministerial Guidelines “Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas” (2009) specifically Section 5.8, it is considered that the proposed development would fail to achieve a satisfactory density of residential development and would, therefore, be contrary to these Ministerial Guidelines and to over-arching national policy. Furthermore, having regard to the provisions of the Dún-Laoghaire-Rathdown County Development Plan 2016-2022, specifically Policy RES3 which refers to residential densities, it is considered that the proposed development of a single house at this location, would fail to comply with the provisions of Policy RES3. The proposed development would represent an inefficient and unsustainable use of serviced, zoned land and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2019.