



Planning and Development Acts 2000 to 2020

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD19A/0312

APPEAL by Sequana Assets Limited care of Downey Planning of 1 Westland Square, Pearse Street, Dublin against the decision made on the 27th day of November, 2019 by South Dublin County Council to refuse permission.

Proposed Development: (a) Internal modification/reconfiguration of and refurbishments to Prospect House (Protected Structure RPS 340) to provide for: one number two bed unit and two number one bed units ranging from 66 square metres – 148 square metres with five number in-curtilage car parking spaces; (b) the extension, internal reconfiguration of and refurbishments to the detached outbuildings and courtyard to the rear (south) of Prospect House in order to accommodate a single storey one bedroom apartment unit (52 square metres); (c) the re-opening of a gap between Prospect House and it's detached outbuilding to the rear to provide access into the new communal gardens proposed to the west of Prospect House; (e) revised landscaping to the north of Prospect House, including the removal of a portion of the existing railings to the north of the driveway to facilitate a new vehicular access and parking provision; all served by the existing entrance and avenue to Prospect House; (f) the renovation of the existing derelict gate lodge; (g) the provision of one number apartment block (three-storey plus setback penthouse level) to

the western side of Prospect House to provide for 25 number residential units (eight number one bedroom units, 16 number two bedroom units and one number three bedroom unit) over a single storey basement comprising a total of 27 number car parking spaces and 11 number bicycle parking spaces; (h) removal of a portion of the western boundary wall to provide a new vehicular and pedestrian access from Stocking Lane to the new apartment block; (g) all associated hard and soft landscaping, the provision of an ESB sub-station and all associated engineering and site development works necessary to facilitate the development all on a site of 0.4832 hectares at Prospect House, Stocking Lane, Rathfarnham, 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

1. Having regard to the existing character and the prevailing pattern of development and the presence of a structure on site of architectural heritage interest which is listed as a Protected Structure in the South Dublin County Development Plan 2016-2022, 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 along Stocking Lane, 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', a protected structure with RPS Number 340 referring 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, bulk and fenestration, 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 and the removal of the gardens in their entirety, which comprise elements of 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. The proposed development, by reason of its inadequate qualitative and quantitative provision of public/communal open space and lack of designated children's play area, would conflict with the provisions of the South Dublin County Development Plan 2016-2022, for the area and with the minimum standards recommended in the "Sustainable Residential Development in Urban Areas: Guidelines for Planning

Authorities" published by the Department of the Environment, Heritage and Local Government in 2009 and would constitute an excessive density of development on this site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

4. The results of the 'M50 Motorway Noise Assessment' prepared by Byrne Environmental Consulting Limited, do not demonstrate compliance with Section 11.6.3 (ii) Noise and Policy 7, Environmental Quality of the South Dublin County Development Plan 2016-2022 and Volume 4 of the Dublin Agglomeration Environmental Noise Action Plan 2018– 2023, in that daytime and night time noise levels are outside of the desirable levels expected for residential development. The applicant has not provided sufficient detail as to how sufficient residential amenity is to be provided for future occupants of the proposed units. The proposed development would, therefore, be prejudicial to public health.

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

Dated this day of 2020