

Planning and Development Acts 2000 to 2020

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D20A/0291

APPEAL by Stargem Properties Limited care of McGill Planning Limited of 45 Herbert Lane, Dublin against the decision made on the 15th day of July, 2021 by Dún Laoghaire-Rathdown County Council to refuse permission to Stargem Properties Limited.

Proposed Development The development will consist of the following:
Demolition of all existing buildings on site (circa 547.7 square metres in total).
The construction of a Build to Rent (BTR) apartment development comprising three number blocks (three to five storeys in height) consisting of 43 number residential units (30 number one-bed and 13 number two-bed), all with balconies facing north/south/east/west, and communal room/gym (circa 52 square metres). Development to be accessed from a new entrance off Clonard Road (with existing three number vehicular entrances to be removed) with additional new pedestrian accesses to the north-east, south and east of the site. Provision of car parking (surface) and cycle parking, open spaces, bin stores and all associated site development works, landscaping, boundary treatments and other servicing works, all on a site of circa 0.51 hectares which includes Number 4 Clonard Road; Clonard Lodge on the corner of Clonard Road/Sandyford Road; and Ballawley Lodge and adjoining temporary accommodation on Sandyford Road, Sandyford, Dublin. The site is bounded

by Clonard Road to the south; Number 6 Clonard Road to the south-west; the rear gardens of Numbers 27/28/29/30/31 Ballawley Court to the west/north-west; the rear of garden of Number 32 Ballawley Court to the north; and Sandyford Road to the east.

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. The proposed development represents a poor form of development for future residents by reason of its lack of provision and poor location of both communal open space and public open space that comprises poorly located and unusable spaces. In addition, the proposed development provides for limited residents' facilities for a 'Built-to-Rent' development contrary to the provisions of the "Sustainable Urban Housing: Design Standards for New Apartments" Guidelines for Planning Authorities issued under Section 28 of the Planning and Development Act, 2000 (as amended) by the Department of Housing, Local Government and Heritage in December 2020 and to the proper planning and sustainable development of the area.

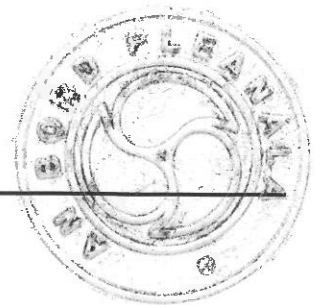


2. Having regard to the height, scale and bulk of the proposed development relative to the prevailing architectural character of existing buildings in the vicinity, it is considered that the proposed development, by reason of its poor transition within the existing streetscape, would seriously detract from the residential and visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The proposed development which includes the demolition of Clonard Lodge and the removal of a significant extent of the surrounding landscaping and boundary features which includes a Letterbox (which is noted to be included in the Industrial Survey of the Draft Dún Laoghaire-Rathdown County Development Plan 2022 - 2028) would negatively impact on the streetscape and character of the area and would detract from the visual amenities of the area which includes an adjacent Architectural Conservation Area relating to the curtilage and setting of Balally Cottages directly opposite the site. The proposed development would, therefore, be contrary to the provisions of the Policies AR5, AR8 and AR11 regarding buildings and features of heritage interest and character. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Michelle Fagan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.



Dated this 19th day of November 2021.