



Planning and Development Acts 2000 to 2020

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D20A/0571

APPEAL by West Group Investments Limited care of RPS of West Pier Business Campus, Dún Laoghaire, County Dublin against the decision made on the 7th day of October, 2020 by Dún Laoghaire-Rathdown County Council to refuse permission to West Group Investments Limited.

Proposed Development The addition of two floors/two two-bedroom apartments (total area 190 square metres) with balconies front and rear, to rear three-storey section of the approved development (Planning Reference D18A/1118). Proposed development will increase the approved gross area to 1,165 square metres and apartment numbers from three to five. Approved development (gross area 975 square metres) consists of a terraced two-storey building to the front with new shopfront, three storeys to the rear and basement to provide services, storage and bicycle parking for both retail unit and residential units. Retail unit extending throughout the whole ground level. One number two-bedroom apartment above retail unit to front with courtyard at first floor level and one number two-bedroom apartment on each of first and second floor levels to the rear (total three apartments) including circulation area between levels, all at 3 Kilbogget Villas, Old Bray Road, Cabinteely, 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

Having regard to the location of the site within Cabinteely village centre, its relationship with neighbouring properties, the established built form and character of the surrounding area, and the size, height, five-storey design and siting of the proposed development, it is considered that the proposed development would constitute an inappropriate intervention which fails to respect the site context and would further result in a visually discordant feature which would seriously injure the visual amenities of the area. Furthermore, the proposed development would be overbearing in relation to the adjacent residential property to the north/north-west and would lead to excessive overshadowing of that property.

The proposed development would, therefore, be contrary to the provisions of Section 8.2.3.4: 'Additional Accommodation in Existing Built-up Areas' of the Dún Laoghaire-Rathdown County Development Plan, 2016 - 2022, would seriously injure the visual and residential amenities of property in the vicinity, would set an undesirable precedent for similar development in the area, and would 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 *23rd* day of *April* 2021.

