

Planning and Development Acts 2000 to 2021

Planning Authority: Dun Laoghaire Rathdown County Council

Planning Register Reference Number: D21A/0861

APPEAL by Ruth Tracey on behalf of Whitfern Rock Limited care of Blupan Limited trading as BG Architecture of Cube Building, Monahan Road, Cork against the decision made on the 23rd day of November, 2021 by Dun Laoghaire Rathdown County Council to refuse permission for the proposed development.

Proposed Development: Permission for (1) demolition of existing dwelling house; (2) removal of existing front boundary wall and for the (A) construction of new stone boundary wall with two number pedestrian access points and new vehicular site entrance onto the Dublin road, (B) construction of 53 number apartments in three separate apartment blocks ranging in height from two to five floors; Block A - 20 apartments consisting of seven number one bedroom apartments, 11 number two bedroom apartments and two number three bedroom apartments, Block A will also include an MV substation, waste collection point and facilities management office, Block B – 18 number apartments consisting of two number one bedroom apartments, 15 number two bedroom apartments and one number three bedroom apartment, Block C - 15 number apartments consisting of 15 number two bedroom apartments, a single storey modular communal room located between blocks B and C,

basement measuring 1855 square metres consisting of 38 car parking spaces, 66 bicycle stands (132 bicycles) with a separate bicycle access ramp, five moped/motorbike parking spaces, bin storage, mechanical, electrical and utilities rooms and for all associated site works relevant to the development; all at "Coltsfoot", Dublin Road, Shankill, Dublin.

Decision

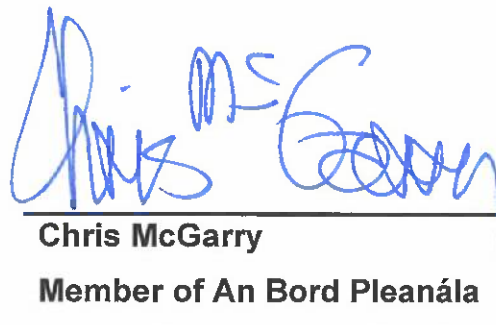
REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. Having regard to the disposition of the proposed apartment blocks, with limited separation from the western and southern site boundaries, it is considered that the proposed development would result in a substandard form of open space and landscaping within the overall scheme, with poor opportunity to provide a sufficient scale of landscaping along the southern site boundary, a poor allocation of usable open space for residents within the overall site and with consequent tree loss which would be contrary to the objective, as set out in the current Dun Laoghaire-Rathdown County Development Plan, to protect and preserve trees and woodlands. In this regard it is considered that the proposed development would provide an inadequate design response to the subject site which would result in a fragmented form of communal amenity space which includes a considerable amount of movement routes within the allocated space and which would be poor in usage. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



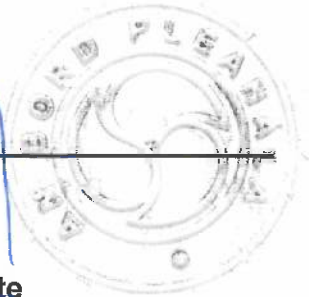
2. Having regard to the design and layout of the proposed development, including the siting, height and massing of the proposed blocks, the limited separation distances provided to front/side boundaries and between blocks and the extent of tree retention/loss involved in the proposed development, it is considered that the proposed development would have a negative impact on the residential amenities of the properties to the immediate north and south of the site, by reason of overbearing and potential overlooking. The proposed development would seriously injure the amenity of property in the vicinity 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 ^{7th} day of ^{September} 2022.