



Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D22A/0070

APPEAL by Liam and Tove O'Flanagan care of Reid Associates of 2 Connaught Place, Crofton Road, Dún Laoghaire, County Dublin and by Randalswood Construction Limited care of Downey Planning of 29 Merrion Square, Dublin against the decision made on the 25th day of March, 2022 by Dún Laoghaire-Rathdown County Council to refuse permission to Randalswood Construction Limited.

Proposed Development The proposed development will consist of the demolition of all existing structures on site and the construction of a residential development comprising of 96 number apartment units in two number apartment blocks as follows: Block A containing a total of 48 number apartments comprising of 24 number one-beds and 24 number two-beds, in a building six storeys over basement in height, and Block B containing a total of 48 number apartments comprising of 24 number one-beds and 24 number two-beds, in a building six storeys over basement in height, with all apartments provided with private terraces/balconies. The development includes the construction of a basement providing car parking spaces, motorcycle spaces, bicycle spaces, plant room and bin stores. The development also incorporates a car parking/set down area and bicycle

spaces at surface level; one number ESB sub-station; public lighting; boundary treatments; landscaping including play equipment; upgrades to public realm including works to existing road and footpath; future pedestrian access indicated at boundary with Dalguise lands subject to agreement; and all associated engineering and site works necessary to facilitate the development. A Natura Impact Statement (NIS) had been prepared and is submitted to the planning authority with this application. All at Richmond Cheshire Home, Richmond Park, Monkstown, County Dublin.

Decision

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

Reasons and Considerations

1. The Dún Laoghaire-Rathdown Development Plan 2022 - 2028 (Policy Objective PHP27) seeks to create sustainable residential communities which contain a wide variety of housing and apartment types, sizes and tenures, in accordance with the Housing Strategy and Housing Need and Demand Assessment (HNDA). Based on the HNDA, Section 12.3.3.1 of the Development Plan requires that developments of the nature proposed contain a minimum of 20 per cent three- or more-bedroom units and a maximum of 30 per cent one-bedroom/studio units. These provisions are considered reasonable in accordance with Specific Planning Policy Requirement 1 of the "Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities", issued by the Department of Housing, Local Government and Heritage in December 2020 (updated December 2022). The proposed development, as originally proposed comprises entirely of one- and two-bedroom apartments and is devoid of three- or more bedroom units. Notwithstanding the alternative proposal submitted at appeal stage, which provided 8.7 per cent three-bed units, the Board considered that the proposed development would materially contravene Development Plan policy in terms of unit mix and would, therefore, fail to adequately address the evidence-based housing needs of the local area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The Board considered that the proposed development would seriously injure the residential and visual amenities of adjoining properties by reason of its design, scale and mass in particular, and would represent overdevelopment of a restricted site, relative to the existing and permitted development on site. The proposed development, by virtue of its layout, massing, and design would represent a visually obtrusive form of the development relative to its immediate environment, would constitute overdevelopment of the site and would be contrary to Policy Objectives PHP18, PHP20, PHP35 and the Building Height Strategy (contained in Appendix 5) of the Dún Laoghaire-Rathdown County Development Plan 2022 - 2028 and Section 3.2 of the "Urban Development and Building Heights Guidelines for Planning Authorities", issued by the Department of Housing, Planning and Local Government in December 2018 in terms of standards of urban design, architectural quality and place making outcomes at the scale of the relevant to site context. The proposed development would constitute an inadequate design response to this sensitive infill site and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the design and layout of the proposed development, including the siting, height and massing of the proposed blocks and the limited separation distances provided to site boundaries involved in the proposed development, it is considered that the proposed development would have a negative impact on the residential amenities, by way of overbearing and the visual amenity of the properties to the immediate east, north and south of the site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Stephen Brophy

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

Dated this 6th day of December 2023.