



Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D22A/0135

APPEAL by Kelland Homes Limited care of Stephen Little and Associates of 26/27 Upper Pembroke Street, Dublin against the decision made on the 14th day of April, 2022 by Dún Laoghaire-Rathdown County Council to refuse permission.

Proposed Development: Proposed residential development comprising: 35 number apartments (five number one-bed and 30 number two-bed units), accommodated in a building ranging in height from four to six storeys, over a single storey basement car park. All apartment units have private balconies or terraces, located on east and west building elevations and communal roof garden at fourth floor level. The demolition (circa 74.3 square metres) and reconstruction (circa 29.3 square metres) of the rear extension and the renovation of the existing habitable house on site, to maintain its existing use as a single-storey two-bed dwelling (circa 63 square metres in total). All associated and ancillary site development, landscaping and boundary works, including demolition of existing outbuildings. A single storey basement (circa 1,600 square metres), accommodating 34 number car parking spaces, plant and stair/lift core. seven number surface car parking spaces. Secure bike store (68 number spaces) and open visitor bike store at grade. One number ESB sub-station circa 710 square metres usable communal open space, including circa 600 square metres at grade and circa 110 square metres at

fourth floor roof terrace. One number new vehicular and one number new pedestrian entrances via Clonkeen Road. The relocation of one number existing bus shelter and stop on Clonkeen Road, all on a circa 0.265 hectare site at 21 Monaloe Cottages, Clonkeen Road, Deansgrange, Blackrock, County 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 building height, density, mass, and volume through to the lack of an adequate separation between the proposed apartment building and the existing residential properties to the north and south, it is considered that the proposed development would constitute overdevelopment of this restricted and irregular shaped site and would result in unreasonable overbearing, overlooking through to overshadowing consequences for these properties. The proposed development would seriously injure the residential and visual amenities of property in the vicinity of the site, would result in an undesirable precedent for other similar development in its setting, and would be contrary to the land use zoning 'A' of the site as provided for under the Dún Laoghaire-Rathdown Development Plan 2022-2028, as well as the policy objectives set out in this plan, in particular PHP19, PHP20 and BHS 1 that collectively seek developments to achieve a reasonable balance in protecting established residential amenities while providing and improving residential development, particularly where they significantly depart in building height, density, scale and built form from the prevailing character of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that the proposed development, in its current form, has the potential to give rise to piecemeal, fragmented and uncoordinated development at an urban location that has the potential to accommodate high density and appropriate height redevelopment that addresses the northeastern Clonkeen Road and N11 junction. The proposed development is therefore considered to be contrary to Policy Objective PHP35: Healthy Placemaking of the Dún Laoghaire-Rathdown Development Plan, 2022-2028, which seeks to achieve high quality with a focus on healthy placemaking outcomes to ensure that development proposals are cognisant of the need for proper consideration of context. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Eamonn James Kelly

Eamonn James Kelly

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this *5th* day of *January* 2024.