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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dún Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D22A/0199**

**APPEAL** by Killiney Later Living Limited care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 13<sup>th</sup> day of May, 2022 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

**Proposed Development:** (i) Construction of a specialised 'later living' development comprising the construction of a four-storey apartment block and the provision of a total of 29 number build-to-rent residential apartments (seven number two-bedroom apartments and 22 number one-bedroom apartments). The proposed works will comprise the change of use and internal reconfiguration and modification of the existing Mount Auburn House to accommodate two number apartments units, including one number two-bedroom unit at basement level, one number one-bedroom unit at first floor level, and communal resident amenity spaces at ground floor level, including: two number private members rooms, a private dining/family room and an espresso bar. Works to the existing Mount Auburn House also includes the demolition of the existing garden shed to the rear of the property, the demolition existing non-original, single-storey extension to the rear, the provision of a glazed link connecting the existing Mount Auburn House with the proposed apartment block and the provision of a new lift core extending from basement to first floor level at the rear of the existing house. The

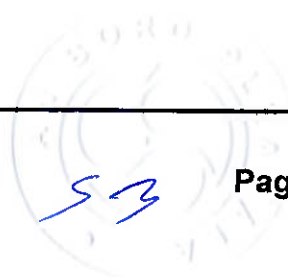
proposed four-storey residential block will comprise a total of 27 number residential units (six number two-bedroom units and 21 number one-bedroom units). Private amenity space is provided in the form of balconies or terraces and each apartment has access to communal landscaped open space at surface level. A viewing deck and external hot tub is provided at third floor level of the proposed apartment block and a communal garden room is also proposed along the southernmost site boundary with seating areas, exercise equipment and play facilities also provided externally; (ii) communal amenities and facilities will be provided throughout the proposed block and will include the following: a fitness studio, day spa, hydrotherapy room, message/consultation room, changing room, facilities, lockers, W.C facilities and a cinema room at ground floor level of the proposed apartment block; (iii) provision of 13 number car parking spaces, including two number car-club spaces and one number limited mobility space, and 44 number bicycle parking spaces; (iv) alterations to the existing access arrangement off Killiney Hill Road, (v) provision of a pedestrian path adjacent to the eastern site boundary; (vi) provision of a plant room, substation and switch room at ground floor level and a plant enclosure at roof level of the proposed block and (vii) landscaping including hard and soft landscaping, boundary treatments, bin storage, drainage and all associated works necessary to facilitate the proposed development, all at Mount Auburn, Killiney Hill Road, Killiney, County Dublin including the existing Mount Auburn House, Killiney Hill Road, Killiney, 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 inadequate separation distance between the eastern elevation of 'Mount Auburn' and apartments within the new apartment block (as revised by way of First Party appeal submission), would, notwithstanding the proposed introduction of louvred screens along part of the balconies of each of the aforesaid five apartments, result in overlooking and loss of privacy, which would seriously injure the amenities of future residents of these units. The Board did not consider the introduction of the louvred screens would be an adequate solution in this instance. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proximity of the proposed apartment block to the forecourt of St. Stephen's church, a Protected Structure, with windows and balconies located within 3.5 metres and 3.0 metres respectively of the common boundary, would, notwithstanding revisions by way of First Party appeal submission, seriously impact on the setting of this Protected Structure by way of the abrupt change in style and scale and would result in serious overlooking of the protected structure and would seriously injure the amenity of property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



3. The proposed felling of several mature trees on the site, combined with the apparent requirement to fell three mature trees in a public open space area to facilitate the new sewer line would seriously injure the amenities of residents of the adjoining estate and would run counter to the Map-Based objective on Zoning Map 4 of the County Development Plan, which is 'to protect and preserve trees and woodlands' on this site, and would, therefore, be detrimental to the visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



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**Stephen Brophy**

**Member of An Bord Pleanála**

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

Dated this *16<sup>th</sup>* day of *October* 2023.