



Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D22A/0389

APPEAL by Kavco Saint Germaine Projects Limited care of CDP Architecture of 4 The Mall, Main Street, Lucan Village, County Dublin against the decision made on the 28th day of July, 2022 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

Proposed Development: Modifications to previously granted development (planning reference number D19A/0927 and ABP-306758-20) for 31 number apartments (six number one-beds, 14 number two-beds, seven number two-bed duplexes, two number three-beds, two number three-bed duplexes). The modifications will consist of proposed new additional residential block on the upper ground floor podium to accommodate four number apartments (two number one-beds, two number two-beds), bringing total number of units when granted to 35 number apartments; increase in size of granted bin store and bicycle store to accommodate for additional units at lower ground level, extension to existing lower ground level capacity to provide six number car spaces externally from the granted car parking area, with new access proposed to same, all with associated site works, drainage and landscaping at 36, 36A and Keem, 37 Church Road, Killiney and 7 Mountain Villa, Ballybrack, County Dublin.

Decision

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

Reasons and Considerations

The proposed apartment block, by reason of its scale, design, siting proximate to adjoining site boundaries, the site configuration and its positioning relative to the recently constructed apartment development on the subject site, would be visually overbearing and obtrusive when viewed from the properties to the immediate north-east and west of the site and the recently constructed apartment development on the subject site, would constitute overdevelopment of this restricted site, would be contrary to Policy Objectives PHP18 and PHP19 contained in and the Zoning Objective 'A' applying to the site under the Dún Laoghaire-Rathdown County Development Plan 2022-2028. Further to this, the proposed development would result in a substandard level of residential accommodation for future occupiers of the proposed apartment block, specifically as a result of the glazing utilised, sill heights and window sizes adopted and location of balconies, and would result in a poor quality of communal open space to serve the recently constructed and proposed apartment blocks on the subject site, and would, therefore, be contrary to the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in July, 2023 and Section 12.8.5.3 Communal Open Space – Quality of the current County Development Plan. The proposed development would, therefore, if permitted, be contrary to the proper planning and sustainable development of the area.



Liam Bergin

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 12th day of April 2024.