

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire Rathdown-County Council

Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, in accordance with plans and particulars, lodged with An Bord Pleanála on the 2nd day of September 2022 by Atlas GP Limited care of MacCabe Durney Barnes of 20 Fitzwilliam Place, Dublin.

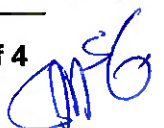
Proposed Development comprises of the following:

1. Construction of 334 Build to Rent residential apartment units within four number apartment blocks and as follows:
 - 79 number studio,
 - 175 number one-bed,
 - 80 number two-bed.
2. All residential units provided with private balconies or terraces to the north, south, east and west elevations.
3. Crèche 272 square metres.
4. Residential amenity spaces 893 square metres (including a unit of 146.5 square metres open to the public, resident's gym, business centre, multipurpose room, staff facilities, multimedia or cinema room, shared working space, concierge and games room).
5. Height ranging from five to sixteen storeys (over basement).
6. Landscaped communal space in the central courtyard.

7. Provision of a new vehicular entrance from Carmanhall Road and egress to Blackthorn Road.
8. Provision of pedestrian and bicycle connections.
9. 125 number car parking spaces, six number motorcycle parking and 447 number bicycle spaces at ground floor or undercroft and basement car park levels.
10. Plant and telecoms mitigation structures at roof level.
11. The development also includes two number Electricity Supply Board substations, lighting, plant, storage, site drainage works, and all ancillary site development works above and below ground all located on lands at and adjoining junction of Carmanhall Road and Blackthorn Road, Sandyford Industrial Estate, Sandyford, Dublin.

Decision

Refuse permission for the above proposed development based on the reasons and considerations set out below.




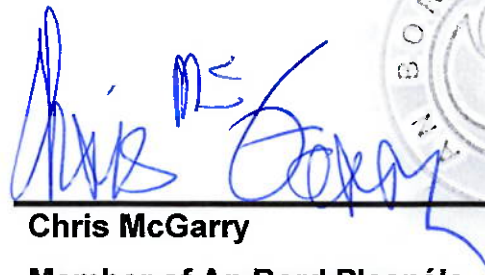
Reasons and Considerations

Having regard to the density, mass and volume of the proposed development, it is considered that the development as proposed would constitute overdevelopment of the site resulting in an unreasonable overbearing impact on the visual amenities of the area and in particular on Carmanhall Road arising from the volume, mass and height of Block D. Furthermore, it is considered that the quantum of development proposed results in deficient dual aspect provision and communal open space which is compromised qualitatively by reason of overshadowing resulting in a substandard level of residential amenity for future occupiers. The proposed development would, therefore, by itself and by the precedent it would set for other development, result in an inappropriate quantum of development on this site which would compromise the visual amenities of the area, and the residential amenity of future occupiers and would therefore, be contrary to the provisions of the Dún Laoghaire-Rathdown Development Plan 2022-2028 and would be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that while the site's zoning provisions, the strategic employment location and proximity to public transport would facilitate the consideration of increased height and density that the volume of development proposed in the current proposal would constitute overdevelopment of the site resulting in an adverse overbearance particularly on the Carmanhall Road from Block D, the volume and extent of which along this public thoroughfare would impact significantly on the visual amenity of the area. It was also considered that the volume of the development and density and configuration of units within the blocks would provide for a deficient provision of dual aspect units and a substandard area of communal open space which would compromise the residential amenity of future occupiers.

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While the Board did not concur with the Inspector in respect of the volume of the proposed development as outlined above, the Board did agree with the Inspector in respect of the ability of the site to be developed independently of the adjoining site to the west, the form and layout of the proposed blocks, the permeability of the scheme and access arrangements, the separation distances within the scheme and to adjoining development and the facilities and amenities within the scheme which could be improved by way of the conditions recommended by the Inspector. However, it was considered that the overall volume of the development and resultant cumulative compromises on residential amenity of future occupiers could not be overcome by condition.



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

Dated this 20th day of December 2023