



Planning and Development Acts 2000 to 2022

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD22A/0271

APPEAL by MSJA Limited care of Downey, Chartered Town Planners of 29 Merrion Square, Dublin against the decision made on the 8th day of August, 2022 by South Dublin County Council to refuse permission to MSJA Limited.

Proposed Development: Residential development consisting of (a) demolition of some existing structures on site, (b) the internal modification/reconfiguration and refurbishment of and extension to Prospect House (a protected structure RPS 340) and the renovation and modification of its associated coach house to provide for a four bed dwelling with associated private open space and car-parking provision, (c) the re-opening of a gap between Prospect House and its detached coach house to the rear to provide a gated access into the new communal gardens proposed to the west of Prospect House, (d) reconstruction of the Gate Lodge (in ruins) to provide for a two bed, single storey dwelling 63.4 square metres with associated private open space and car-parking, (e) the provision of one apartment block (three-storey plus setback penthouse level) to the western side of Prospect House to provide for 22 number residential units (11 number one bedroom units and 11 number two bedroom units) over a single storey basement comprising a total of 25 car parking spaces, two motor bike spaces and 40 bicycle parking

spaces. The basement will also include associated bin stores, plant and storage rooms, (f) removal of a portion of the western boundary wall to provide a new vehicular and pedestrian access from Stocking Lane to the new apartment block, (g) all associated hard and soft landscaping, including the provision of a play area and an ESB sub-station and all associated engineering and site development works necessary to facilitate the development, all on a site of 0.51 hectares at Prospect House (a protected structure RPS 340), Stocking Lane, Rathfarnham, 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 existing character and the prevailing pattern of development, and the presence of a structure on site of architectural interest which is listed as a Protected Structure in the South Dublin County Development Plan 2022-2028, it is considered that the proposed apartment scheme, by reason of its scale, mass, height and design, its proximity to Prospect House and its siting within the historic walled garden, would not represent an appropriate or sympathetic design response to the existing setting, would dominate and seriously detract from the character of 'Prospect House', a protected structure and would not justify the removal of part of the existing roadside boundary wall. The proposed development would, therefore, materially and adversely affect the character of this Protected Structure, would be contrary to Policy NCBH19 Protected Structures as set out in the South Dublin County Development Plan 2022-2028, would seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the nature of the proposed development which comprises works to and within the curtilage of a protected structure, Prospect House (RPS Ref: 340), to the lack of information on the nature and extent of the works carried out to the structure to date and in relation to the proposed works to Prospect House and associated structures, and the lack of information on the extant condition of the gate lodge which is proposed for refurbishment, the Board is not satisfied, on the basis of the submissions made in connection with the application and the appeal, that the proposed development would not negatively affect the setting, special character or appearance of the Protected Structure, its associated structures and/or historic curtilage. The proposed development would, therefore, be contrary to 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 15th day of December 2023.