

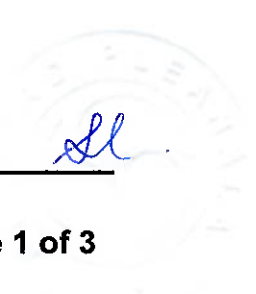
Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D22A/0576

APPEAL by Rory and Yulianna Finnegan care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 29th day of September, 2022 by Dún Laoghaire-Rathdown County Council to refuse permission.

Proposed Development: Development consists of the demolition of the existing 1960's two storey over sub-basement single detached dwelling and the construction of a new 3-bedroom three storey over sub-basement single detached dwelling, all ancillary services and site works at 33 Knocknacree Park, Dalkey, County Dublin.



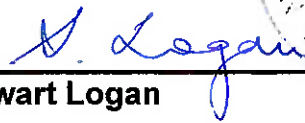
Decision

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

Reasons and Considerations

1. The proposed development, which includes the demolition of the existing dwelling and the construction of a replacement dwelling, would be contrary to Section 12.3.9 (Demolition and Replacement Dwellings) and Section 3.4.1.2, Policy Objective CA6 (Retrofit and Reuse of Buildings) of the Dún Laoghaire-Rathdown County Development Plan, 2022-2028, where it is the policy of the planning authority to require the retrofit and reuse of existing buildings rather than their demolition and reconstruction where possible. Furthermore, the proposed development would, if permitted, set an undesirable precedent for similar type development in the area in the absence of a strong justification for the demolition of the existing habitable house at number 33 Knocknacree Park. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The application site is zoned Objective A - 'To provide residential development and improve residential amenity while protecting the existing residential amenities' - in the Dún Laoghaire-Rathdown County Development Plan 2022-2028. Having regard to the sloping and elevated configuration of the site and the proximity of dwellings to the east and west, the proposed development would, by reason of its height, design, massing, fenestration and terracing, be physically overbearing and excessively overlook adjoining properties. The proposed development would be visually dominant when viewed from its surroundings, would seriously injure the visual and residential amenities of the area and of property in the vicinity of the site, and would, therefore, be contrary to the proper planning and sustainable development of the area.



Stewart Logan

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

Dated this *2nd* day of *January* 2024.