

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D23A/0054

APPEAL by Galador Properties Limited care of Brock McClure Planning and Development Consultants of 63 York Road, Dún Laoghaire, County Dublin against the decision made on the 27th day of March, 2023 by Dún Laoghaire-Rathdown County Council to refuse permission.

Proposed Development: The development will consist of the construction of (a) a 120 number bed nursing home facility (four and five storeys in height) and (b) 29 number one-bed Independent Living Units in a new residential block (six storeys). The nursing home facility shall provide for 120 number bed spaces and all associated ancillary/common areas including a reception area, nurse managers office, office, kitchen, visitors room, reflection room/multifunction space, activity rooms, treatment rooms, hairdressing room, storerooms, comms room, cleaners stores, dining rooms, quiet rooms, staff rooms, staff changing facilities, assisted washing areas, all WCs, bin storage and plant areas, nurse staff base, linen rooms and general sitting rooms. The 29 number one-bed Independent Living Units are each served by private open space in the form of a balcony/terrace space. and associated bin/bicycle/bulk storage and plant/switch room space is provided at ground floor level. The development shall also provide for the provision of a new vehicular/pedestrian

entrance via Cherrywood Road including a new road bridge over Loughlinstown River (approximately 20.5 metres in length, 11.1 metres in width, and 1.2 metres in height with bridge supports set back from the river edge), a new uncontrolled pedestrian crossing at Cherrywood Road. pedestrian access via Bray Road, provision for potential future pedestrian access to Saint Columcille's Hospital, 40 number car parking spaces (eight number of which are EV equipped), one number ambulance parking space, 54 number bicycle parking spaces, two number motorcycle spaces, an ESB Substation (21.6 square metres), drop off/services area, accessible roof terraces and all open space areas. There are no works proposed to the existing residential dwelling Rose Cottage (number 26 Cherrywood Road) other than landscaping works and a new vehicular access proposal, which are delivered within the existing curtilage of the building. The site and infrastructural works include provision for water, foul and surface water drainage ducting and connections; attenuation proposals, permeable paving, blue roofs, new retaining walls, all landscaping works including tree protection, tree removal and new tree planting, green roofs and all boundary treatment; all internal roads and footpaths and all associated site clearance, excavation and development works, all at Rose Cottage, 26 Cherrywood Road, Shankill, 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 height, scale, and massing, it is considered that the proposed development would present an obtrusive and overbearing form of development that would be an abrupt transition in scale at odds with the surrounding character and context on Cherrywood Road. Additionally, the proposed development would have an adverse impact

on the character and setting of Waterfall Cottage, a Protected Structure (RPS 1770). The proposed development would therefore seriously injure the visual, residential, and heritage amenity of the area, would be contrary to the Dún Laoghaire-Rathdown Building Height Strategy in Appendix 9 of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, and contrary to the proper planning and sustainable development of the area.

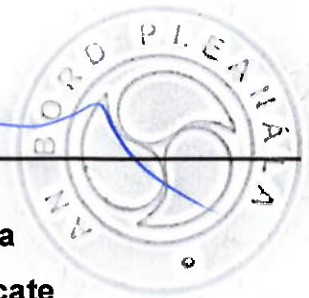
2. Having regard to the site location and the poor quality of pedestrian connections as a result of deficient footpaths and pedestrian infrastructure linking to the site, it is considered that the development would fail to provide safe and accessible means of pedestrian access to and from the development which would not be suitable to serve the proposed nursing home or independent living units. The proposed development would, therefore, be prejudicial to pedestrian safety and would be contrary to Section 12.3.8.2 of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, which requires nursing homes and assisted living accommodation to be served by the provision of good footpath links and contrary to the proper planning and sustainable development of the area.



Martina Hennessy

Member of An Bord Pleanála

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



Dated this 7th day of June 2024.