



An
Bord
Pleanála

Board Order
ABP-321063-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D24A/0561/WEB

APPEAL by Ryan Kavanagh care of Martin Noone Architect of 136 Lower Georges Street, Dun Laoghaire, County Dublin against the decision made on the 18th day of September, 2024 by Dún Laoghaire-Rathdown County Council to refuse permission.

Proposed Development: Construction of a new dwelling, two-storey to the front and three-storey to the rear, including all windows, rooflights, dormer, front and rear balconies, external access steps, semi enclosed courtyard, all utilising existing site access and proposed connections to services from Rock Road on a site at 138 Rock Road, Booterstown, Blackrock, County Dublin, a Protected Structure.

Decision

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

Reasons and Considerations

Having regard to the Dún Laoghaire-Rathdown County Development Plan 2022-2028, Policy HER8 'Work to Protected Structures' and Sections 12.11.2.1 'Works to a Protected Structure' and Section 12.3.7.5 Corner/Side Garden Sites therein, the restricted site within the curtilage of two highly valued Protected Structures that contribute to the established built character and urban form of the area and which are visually prominent from the public realm, the proposed development is considered to negatively impact on the setting, amenity and appreciation of the neighbouring protected structures, by reason of inadequate separation distances between the existing and proposed dwellings, resulting in the severing of the relationship between the existing protected structures, and, the height, massing, design and siting of the proposed dwelling, which is considered to be visually incongruous and fails to harmonise and integrate with the established unique character of the neighbouring dwellings, thereby detracting from same.

It is considered that the proposed development fails to comply with Policy HER8 and Sections 12.11.2.1 and 12.3.7.5 of the Dún Laoghaire-Rathdown County Development Plan and would, therefore, adversely affect and injure the character, setting and amenities of the Protected Structures. The proposed development would be contrary to best conservation practice and 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 the modifications proposed by the Inspector, to support a grant of permission, were both significant and substantial and would result in a full redesign best considered by the applicant/architect for any future application.



Declan Moore

Member of An Bord Pleanála

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

Dated this 3rd day of MARCH 2025