



An
Bord
Pleanála

Board Order ABP-321174-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D23A/0743

Application for Leave to Appeal against the decision of the planning authority by Tommy McDonald having an interest in land adjoining the land in respect of which Dún Laoghaire-Rathdown County Council decided on the 8th day of October, 2024 to grant, subject to conditions, a permission to Deerfield Properties Limited care of Kieran O'Malley and Company Limited of Priory Office Park, Stillorgan Road, Blackrock, County Dublin.

Proposed Development: Permission for the demolition of a two-storey dwelling house and outbuildings/stables and for the construction of 73 number residential units (22 number one-beds, 34 number two-beds and 17 number three-beds) and a childcare facility in seven apartment blocks as follows. Blocks A1 and A2 (six-storeys) and Block A3 (five-storeys over undercroft carpark (1,715.90 square metres) consist of circa 6,369.8 square metres total floor area comprising 14 number one-bed apartments (ranging in size from 47.8 square metres to 57.8 square metres), 33 number two-bed apartments (ranging in size from 67.9 square metres to 92.4 square metres), one number two-bed duplex unit (101.1 square metres). Four number three-bed apartments (103.4 square metres) and five number three-bed duplex units (ranging in size from 108 square metres to 120.4 square metres). Childcare facility (193.7 square metres) and external play area, communal room (152 square metres) and plant rooms.

Blocks B1, B2, B3 and B4 (three-storeys) each consist of circa 383.3 square metres total floor area comprising four number apartments (that is, two number three-bed duplex units (110.5 square metres) and two number one-bed apartments (53.5 square metres) in each block on a circa 0.93 hectares. site at "Deerfield House". Access is at the existing access at Harold's Grange Road authorised under D11A/0191 via the phase 2 development authorised under D20A/0746. Access to pedestrians and cyclists is proposed at Harold's Grange Road. The site layout includes a footpath and cycleway up to the west site boundary to provide for a potential access for pedestrians and cyclists only at Silverton (subject to agreement). The proposed development also consists of 107 number car parking spaces comprising 49 no. surface car parking spaces including 14 number visitor spaces and three number disabled spaces and 58 number undercroft car parking spaces including 19 number EV charging spaces and three number disabled spaces. 180 number bicycle parking spaces and two number motorcycle parking spaces, bin stores, Solar PV panels on Blocks A1 to A3, internal roads, cycleways and footpaths, landscaping and boundary treatment works, site services and all ancillary and associated site works, at Deerfield House, Harold's Grange Road, Dublin.

Decision

REFUSE leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

Reasons and Considerations

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that -

- (i) while it has been shown that the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of condition number 2 (the requirement to omit the second floor of Block A1) imposed by the planning authority to which the grant is subject,
- (ii) it has not been shown that the imposition of this or any other condition will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.




Liam Bergin

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

Dated this 28th day of November 2024