

An
Coimisiún
Pleanála

Commission Order
ABP-321796-25

Planning and Development Act 2000, as amended

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D24A/0250/WEB

APPEAL by Philip and Anne-Marie McDonagh on behalf of the Woodside Residents Association care of 60 Woodside Estate, Rathfarnham, Dublin 14 and by Others against the decision made on the 9th day January 2025 by Dún Laoghaire-Rathdown County Council to grant, subject to conditions, a permission to Anthony Byrne care of SCA Planning Limited Planning and Development Consultants of Unit 17A Bridgecourt Office Park, Walkinstown Avenue, Walkinstown, Dublin for the proposed development.

Proposed Development: Demolition of existing dwelling and tennis court; Construction of two number apartment buildings set around landscaped open space. The northern building (Block A) has a height of four-storey over basement. The southern building (Blocks B & C) has a height of four to five-storey over basement. The proposed buildings will accommodate 52 number apartments comprising 38 number two-bedroom and 14 number three-bedroom units, all with associated balconies/terraces. The basement will accommodate 58 number car parking spaces, refuse store, plant room and apartment storage area. The development will include: Vehicular and pedestrian access from Woodside Drive via a revised entrance arrangement; Ramped vehicular access to the basement; Cycle parking, landscaped open spaces and boundary treatments; Construction of a foul drain to connect to the existing sewer at Woodside Drive/Hillside Drive; Construction of a surface

water drain to connect to the existing sewer at Woodside estate (located within the boundary of South Dublin County Council); Associated site works and services. The application is submitted to Dun Laoghaire Rathdown County Council and South Dublin County Council. The site is located within the curtilage of a Protected Structure (lime kiln, ref 315), 39 Woodside Drive, Rathfarnham, Dublin 14, D14 C8Y0.

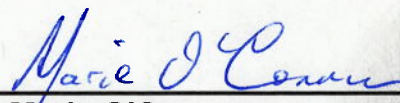
Decision

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

Reasons and Considerations

1. Having regard to Policy Objective PHP20: Protection of existing residential amenity and the Building Height Strategy and policies (Appendix 5) of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, the location of the site in an area where the prevailing height of the existing dwellings are two-storey and which is greater than 500 metres from high frequency public transport, it is considered that the proposed density of the scheme is excessive in the context of the location and the adjoining development. The Commission agreed with the Inspector that increased height is appropriate at this location (Residual Suburban Area) in accordance with Policy Objective BHS3 of the development plan which seeks to promote general building heights of three to four storeys but did not consider that the density proposed would ensure an adequate balance with the reasonable protection of existing amenities and the established character of the area. In addition, having regard to Policy Objective CA6 and Section 12.3.9 of the development plan, the Commission was not satisfied that a strong justification had been provided for the demolition of the existing dwelling. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to Policy Objective PHP37 and Section 12.8.2 of the County development plan, the Commission was not satisfied that, given the location of the protected structure, the public open space provision, the topography and overall layout of the site, the provision of pedestrian and cycle permeability through the site could be achieved through the repositioning of Block A by way of condition. The Commission agreed with the Inspector and the planning authority that permeability through the site was desirable but considered that there were significant issues to be resolved both inside and outside the site boundary (within South Dublin County Council planning area) which could not be overcome by the imposition of conditions. In addition, having regard to the scale of the proposed development and the traffic to be generated by providing increased permeability, it is considered that the development as proposed would endanger public safety by reason of traffic hazard and would lead to conflict between road users, that is, vehicular traffic, pedestrians and cyclists at the junction with the Castle Golf Club access, which could be further exacerbated and which was not addressed in the Transport Assessment Reports on file. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Marie O'Connor

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 04 day of September 2025.