

An Rannóg Talamhúsáide, Pleanála agus Iompair
Land Use, Planning & Transportation Department
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**NOTIFICATION OF DECISION TO REFUSE PERMISSION
PLANNING & DEVELOPMENT ACT 2000 (as amended) AND
PLANNING REGULATIONS THEREUNDER**

Decision Order No.	0012	Date of Decision	07-Jan-2022
Register Reference	SD21A/0300	Date	04-Nov-2021

Applicant:

Ashbrook Excellence Ltd.

Development:

Demolition of the existing single storey 33sq.m apartment at 19A Hillsbrook Drive; construction of a new semi-detached, residential 2 storey apartment development comprising 3 units; existing house at 19 Hillsbrook drive is to be retained with its own vehicle access and off-street parking; 2 studio apartments measuring 41sq.m and 43sq.m and a 2-bed apartment measuring 85sq.m with a first-floor terrace are to be provided including cycle parking, refuse storage, landscaped private and communal amenity areas; all necessary and associated siteworks.

Location:

19, Hillsbrook Drive, Perrystown, Dublin 12

Time extension(s) up to and including:

Additional Information

/

Requested/Received:

Clarification of Additional

/

Information Requested/Received:

DECISION: Pursuant to the Planning and Development Act 2000 (as amended), dated as above a decision to **REFUSE PERMISSION** is hereby made for the said development for the reason(s) set out on the Schedule hereto.

REASON(S)

1. Having regard to the prevailing density of the area, the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009) and the South Dublin County Council Development Plan 2016 -2022, the proposed density is not considered appropriate and represents an overdevelopment of a corner site, where the proposed design is deficient in providing useable and functional private amenity space for all units and securing a high standard of internal accommodation, including internal storage, within an established residential area and would be contrary to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009), the South Dublin County Council Development Plan 2016 -2022 and the proper planning and sustainable development of the area. The density proposed, on a constrained site is contributing to a poor layout and a poor standard of amenity for adjacent occupiers.
2. Having regard to the excessive width and blank facades of the proposed apartment-structure, which does not successfully address either street onto which the structure will face, the proposed development would be visually obtrusive and out of character in this established residential area, and would be contrary to policy and objectives of the South Dublin County Development Plan 2016-2022 (Policy Objective H17 Residential Consolidation Objectives 3, 5 and 7 and Section 11.3.2 Residential Consolidation) and therefore contrary to the proper planning and sustainable development of the area.
3. Given the minimal set off of the proposed apartments from the dwellings on Muckcross Avenue, as well as the excessive depth of the development, it is considered that the proposal would result in an unacceptable loss of light and overshadowing of adjoining/adjacent properties and would appear overbearing when viewed from rear habitable room windows and rear outdoor amenity space of No 48A Muckcross Avenue. In addition to this, the front facing balcony, which sits forward of the established building line, would result in overlooking on the occupants of No19 Hillsbrook Drive. Thus, the proposed development would seriously injure the amenity of property in the vicinity and would be contrary to the zoning objective for the area which seeks 'to protect/and or improve residential amenity' and would therefore be contrary to the South Dublin County Council Development Plan 2016 - 2022 and the proper planning and sustainable development of the area.
4. Having regard to the information submitted in relation to surface and foul water proposals, which indicate the surface water would connect to a foul sewer, as well as the lack of information provided surrounding Sustainable Drainage and connection feasibility, the Planning Authority is not satisfied, on the basis of the information submitted, that the proposed development would not be prejudicial to public health and is not in the interests of the proper planning and sustainable development of the area.
5. Having regard to the lack of information submitted in relation to car parking, manoeuvrability, boundary finishes and cycle parking on site for the proposal, the Planning Authority is not

satisfied on the basis of the information submitted that the proposed development would not give rise to traffic hazard.

Please note that upon receipt of this document you are obliged to remove the planning site notice in compliance with Article 20 of the Planning and Development Regulations 2001 (as amended). Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001 (as amended), have been considered in the determination of this application.

Register Reference: SD21A/0300

Signed on behalf of the South Dublin County Council.

Yours faithfully,

Brian Connolly 10-Jan-2022
for **Senior Planner**