



Board Direction

Ref: PL06D.246224

The submissions on this file and the Inspector's report were considered at a Board meeting held on June 27th 2016.

The Board decided to refuse permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. It is the policy of the Planning Authority, as set out in the Kiltarnan / Glenamuck Local Area Plan 2013, that land parcel 12, within which the subject site is located, shall be accessed from the proposed indicative loop road to the south of the site. The Board is not satisfied, on the basis of the evidence presented, and particularly in the absence of legal documentation and timescales for completion of the permitted access road, that the proposed development could be completed in accordance with this requirement of the local Area Plan. It is therefore considered that the proposed development would be premature pending the construction and completion of the adjacent access route through the lands to the south of the site to serve the proposed development, and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the location of the open space provision to the north-east of the site, and the layout of the proposed residential scheme, it is considered that there would be a lack of good passive surveillance of the open space and limited connectivity between the proposed open space and the dwellings. This would result in a poor form and design of residential development and result in a sub-standard level of amenity for the future residents. Furthermore, by reason of the proposed residential layout, it is considered that the proposed development would be poorly integrated with the permitted development to the south of the subject site, leading to overlooking of gables and rear gardens within that development by houses in the

proposed development, and therefore would result in a poor level of residential amenity for the residents of the proposed development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note 1. The Board concurred with the Inspector that the issue of density, having regard to the existing and permitted pattern of development in the vicinity, was not of sufficient weight to justify as a reason for refusal, and therefore did not repeat reason 1 of the Planning Authority's decision

Note 2. In including reason no. 2 of its decision, the Board did not agree with the Inspector that the layout of open space proposed as part of the application was acceptable, and noted that the alternative layout (option D) as submitted by the applicant with the grounds of appeal, would have resolved this issue. However, the Board concurred with the Inspector about the poor level of residential design generally within the scheme, noting that alternative layouts for the site, which would integrate better with the permitted development on the lands to the south, could be provided as part of a new application, once the fundamental reason for refusal, which is reason no. 1 of the Board's decision, had been resolved.

Note 3. The Board agreed with the Planning Authority about the unacceptability of providing surface water attenuation within the main open space of the development, but noted that alternative means of surface water attenuation, whereby attenuation could be provided under roads and other hard surfaced areas, might have been required by condition, had the other aspects of the development – the prematurity and the poor quality of residential layout – not been at issue. Accordingly, it was decided not to include reason no. 3 of the Planning Authority's decision.

[Please issue a copy of this Direction with the Board order.]

Board Member: _____ Date: 27th June 2016
Philip Jones