



An
Bord
Pleanála

Board Direction
PL06D.247612

The submissions on this file and the Inspector's report were considered at a Board meeting held on March 31st 2017.

The Board decided to refuse permission for the following reasons and considerations.

Reasons and Considerations

1. It is considered that, by reason of its scale, height, mass and bulk, the extent of site coverage and the proximity of the building to boundaries, and by reason of the inadequate provision made for servicing and for car parking for staff, clients and visitors in a location that is remote from high capacity public transportation, the proposed development would represent significant overdevelopment of the subject site, would seriously injure the visual amenities of the area, and would be inconsistent with the pattern of development in the vicinity, notwithstanding the brownfield nature of the majority of the subject site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development would be premature by reason of deficiencies in the existing foul sewage system upon which it relies and the time within which the constraints involved may reasonably be expected to cease. Furthermore, it is considered that the proposed arrangements put forward as part of the application to deal with these constraints and deficiencies would be unacceptable and prejudicial to public health. The proposed development

would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the fact that a significant portion of the subject site is located on lands zoned “F” in the current Development Plan for the area, where the objective is “to preserve and provide for open spaces with ancillary active recreational amenities”, and having regard to the fact that significant engineering structures and facilities servicing the proposed development are proposed to be located within this area, it is considered that the proposed development would materially contravene the zoning objective set out in the Development Plan, and therefore would be contrary to the proper planning and sustainable development of the area

In deciding not to accept the Inspector's recommendation to grant permission, the Board did not share the inspector's analysis of the issues raised, and in particular noted that the apartment block previously permitted on this site in 2007 was of significantly less mass and bulk, and involved a smaller site coverage, than the proposed development, and therefore did not accept the Inspector's opinion that this represented an appropriate precedent that would justify the proposed development, particularly since public transportation provision had materially changed in the interim. In addition, the Board was not convinced by the analysis of traffic generation and parking provision, and noted that such provision was not considered acceptable by the planning authority's transportation division. The Board also considered that the issues raised regarding the deficiencies in the foul sewage system serving the development had not been addressed, and was concerned about the proposed options put forward by the applicant, all of which it considered were unacceptable and did not adequately overcome the third reason for refusal cited by the planning authority in its refusal for a similar development on this site under planning authority register reference number D14A/0811.

Board Member

Date: 31st March 2017

Philip Jones