



An
Bord
Pleanála

Board Direction
BD-004469-19
ABP-303797-19

The submissions on this file (including the applicant's response to the Board's section 137 notice) and the Inspector's report were considered at a further Board meeting held on 08/11/2019.

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

Reasons and Considerations

Having regard to the provisions of the Ministerial Guidelines, '*Sustainable Residential Development in Urban Areas*' 2009, published by the Department of Environment, Heritage and Local Government, specifically paragraph 5.11 and Appendix A, and '*Urban Development and Building Heights*', December 2018, prepared by the Department of Housing, Planning and Local Government, specifically SPPR4, it is considered that the net density of the proposed development, at this residentially zoned outer suburban site on the edge of a larger town, is excessively low and would be contrary to the Ministerial Guidelines and would, therefore, be contrary to the proper planning and sustainable development of the area.

It is considered that the proposed disposition of open space areas, including lands identified as fully enclosed (apart from maintenance access) to allow for existing foul line retention, is discordant and haphazard and, in conjunction with the positioning of proposed dwellings which back onto these areas, would constitute a poor quality and

inefficient layout and would, therefore, be contrary to the Ministerial Guidelines, “*Sustainable Residential Development in Urban Areas*’ 2009, published by the Department of Environment, Heritage and Local Government, specifically paragraph 3.3 and Box 2: Best Practice Design Manual Criteria. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

It is considered that the proposed development would comprise a poor response to the potential of the site to provide a firm boundary to the southern growth of the town, which demands a high quality of design and layout, and would seriously injure the residential amenity of future occupants and would, therefore, 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 considered that the piecemeal approach to the development of the overall landholding, whereby two similarly scaled, functionally connected and mutually interdependent housing schemes are concurrently proposed by the same applicant on adjoining sites, leads to unnecessary ambiguity in respect of phasing and public open space, and to the inefficient duplication of childcare facilities.

Note:

The Board noted the applicant's response to its section 137 notice (and a similar response to the notice issued in relation to the concurrent residential application also under appeal (Reg. Ref ABP-303839-19)), and the proposed changes to the overall layout and mix/density of residential development, open space and pedestrian linkage to the adjoining Millbrook estate. However, the Board considered that the piecemeal approach to the development of the overall landholding, whereby two similarly scaled, functionally connected and mutually interdependent housing schemes are concurrently proposed by the same applicant on adjoining sites, leads to unnecessary ambiguity in respect of phasing, public open space, and childcare facilities. Furthermore, the combined quantum of residential units of the two housing schemes as originally proposed, and the proposed revised quantum of residential units of the scheme which is the subject of this appeal, exceed the threshold for Strategic Housing Development. The Board also noted that each application had already been the subject of revised public notices.

Board Member

Date: 11/11/2019

John Connolly