



An  
Bord  
Pleanála

**Board Direction**  
**BD-004125-19**  
**ABP-304828-19**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26<sup>th</sup> September 2019.

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

### **Reasons and Considerations**

1. The Urban Design Manual – a Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in 2009, to accompany the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, includes key criteria such as context, connections, inclusivity, variety and distinctiveness. It is considered that the development as proposed results in a poor design concept that is substandard in its form and layout and lacks variety and distinctiveness. Also, the proposed development would not be in accordance with the Design Manual for Urban Roads and Streets issued by the Department of Transport, Tourism and Sport, and the Department of the Environment, Community and Local Government.
2. Having regard to the proximity of the Luas stops at Saggart and Fortunestown the board considered that the proposed development with a net density of 30 units per hectare to the south of the site would not be developed at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage and, therefore, the density proposed would be contrary to the provisions of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, as they relate to cities and towns

and in particular to sites serviced by existing and planned public transport. The proposed development would, therefore, be contrary to these Ministerial Guidelines and contrary to the proper planning and sustainable development.

3. It is considered that the Environmental Impact Assessment Report, together with the documentation submitted with the application, does not identify or describe adequately the direct, indirect, secondary and cumulative effects of the proposed development on the environment. The Board is not satisfied that the information contained in the Environmental Impact Assessment Report complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU, particularly with regard to biodiversity, water, traffic and landscape and visual impact.

**Note:**

- i. Having regard to the information submitted including the site-specific flood risk assessment, and notwithstanding the proposed compensatory mitigation measures, the Board still has concerns relating to impacts along the adjacent Corbally Stream and that further analysis is required in a revised site-specific flood risk assessment.
- ii. Given the proximity of the high frequency public transport links to the proposed development, the Board was not satisfied that the quantum of car parking spaces proposed was justified, and, as such, would be contrary to the promotion of sustainable transport modes and would give rise to unsustainable travel patterns. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

**Board Member**

**Date:** 27/09/2019

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Stephen Bohan