



An
Bord
Pleanála

Board Direction
BD-007212-20
ABP-307669-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/12/2020.

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

Reasons and Considerations

1. Having regard to the character of the housing estate, of which the centrally located public open space forms an integral part, to the zoning of the site as Existing Residential in the Dingle Functional Area LAP 2012 (as extended), wherein the zoning objective is to protect and improve such residential areas and there is a presumption against the development of such green spaces, and to the planning history of the site, in particular the quantum of accommodation within the estate and the use of this site as open space serving the overall development as granted by PL08.120324, it is considered that the proposed development would result in the loss of a significant amount of open space which would detract from the character of the estate and would seriously injure the residential and visual amenities of existing residents. Furthermore, the Board considered that the proposed development would provide a substandard amenity for future occupants by reason of the irregularly shaped gardens. The proposed development would therefore result in a substandard form or development, which would materially contravene the zoning objective for the site and would be contrary to the proper planning and sustainable development of the area.

2. The proposed development would be by reason of
- (a) the development of residential units on an area of public open space, contravene materially a condition attached to an existing permission for development namely Condition no. 1 attached to permission granted by the Board on the 11th day of January 2001 under Appeal Reference No. PL08.120324 and
 - (b) the location of parking spaces nos. 75-77, contravene materially a condition attached to an existing permission for development namely Condition no. 1(b) attached to permission granted by the Board on the 26th day of November 2009 under Appeal Reference No. PL08.233381.
3. It is considered that car parking provision for the proposed development, in particular the lack of sufficient on-site parking spaces, would be seriously deficient and would be inadequate to cater for the parking demand generated by the proposed development, thereby leading to conditions which would be prejudicial to public safety by reason of traffic hazard on the public roads in the vicinity of the site.

Board Member

Date: 18/12/2020

Maria FitzGerald