



An
Bord
Pleanála

Board Direction
BD-010019-22
ABP-309196-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15/02/2022.

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

Reasons and Considerations

1. On the basis of the information provided with the application and appeal and in the absence of an Appropriate Assessment Screening Report and/or a Natura Impact Statement, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not result in adverse affects on the integrity of European site/s, in view of the site/s' Conservation Objectives. In such circumstances the Board is precluded from granting permission.
2. The application site is subject to zoning objective "RW – To provide for and consolidate retail warehousing" in the South Dublin County Development Plan 2016-2022. Residential use is a "Not Permitted" land use on lands subject to zoning objective "RW". In this regard the proposed development of 161 apartments and associated communal facilities is a material contravention of the County Development Plan. In addition, the proposed development is contrary to the strategic approach set out in the Core Strategy of the Development Plan to achieve the National Planning Framework (NPF), the Regional Spatial and Economic Strategy (RSES) and the proper planning and sustainable development of the area.

3. The proposed development would fail to comply with Policy H7 Urban Design in Residential Development and Policy H9 Residential Building Heights as well as sections 11.2.0, 11.2.1 and 11.2.7 of the South Dublin County Development Plan 2016-2022 and would not comply with the criteria set out in Section 3.2 and SPPR 3 of the Urban Development and Building Heights Guidelines for Planning Authorities (December 2018), the proposed development would therefore materially contravene objectives of the County Development Plan and would be contrary to the proper planning and sustainable development of the area.
4. Having regard to the absence of information, and/or inadequacy of submitted information in relation to daylight and sunlight performance, microclimate conditions, noise protection measures and childcare facilities, the Board is not satisfied that future residents of the proposed development would be provided with acceptable standards of residential amenity, within apartment units, private amenity space and public open spaces. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
5. Having regard to the design, the excessive height, bulk, scale and massing of buildings and the proximity of the proposed development to adjoining two-storey residential properties, the Board considered that the proposed development would be visually obtrusive and would adversely impact on the visual amenity of the application site, would seriously injure the residential and visual amenities of property in the vicinity of the site and the character of the wider area, and would set an undesirable precedent for similar type developments in the area and would be contrary to the proper planning and sustainable development of the area.
6. Having regard to the scale of the proposed development and the consequent intensification of vehicular traffic on the Hermitage Gardens cul-de-sac and

the uncertainty in relation to the impact of increased traffic movements on the capacity and efficacy of the junction between this cul-de-sac and the regional road, the Board was not satisfied that the proposed development would not seriously injure the residential amenities of adjoining residents and endanger public safety by reason of traffic hazard or obstruction of road users. Accordingly, it is considered that the proposed development would be contrary to the proper planning and sustainable development of the area.

7. The proposed density equates to 253 dwelling houses per hectare, which represents a substantial increase relative to the existing density on residential sites in the vicinity of the site. Policy H8 Residential Densities states it is the policy of the Council "to ensure that the density of new residential development is appropriate to its location and surrounding context". The proposed density, is considered to be inappropriate for the subject site, having regard to the overall accessibility of the site, the context and its surrounding area and the strategic approach for consolidated development set out in the Core Strategy of the Development Plan. As such, the proposed development would be contrary to the South Dublin County Development Plan 2016-2022 and would not therefore, be in accordance with the proper planning and sustainable development of the area.

Board Member

Maria FitzGerald

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Date: 15/02/2022

