

An
Bord
Pleanála

Board Direction
BD-011282-22
ABP-311497-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 19/09/2022.

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

Reasons and Considerations

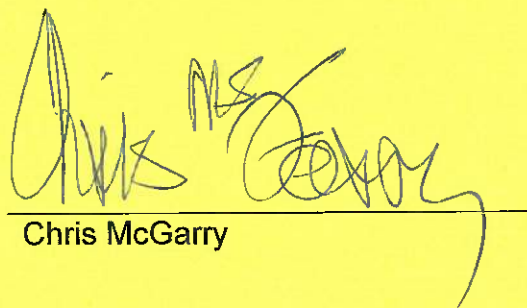
1. Having regard to the location of the site within an area zoned Z6 in the Dublin City Development Plan 2016-2022, the objective of which is "*to provide for the creation and protection of enterprise and facilitate opportunities for employment creation*", it is considered that the proportion and quantum of residential development proposed as part of a mixed use development envisaged in this application would not be sufficiently subsidiary to employment generation uses and would, therefore, contravene materially the said zoning objective and would conflict with the objective to develop the area as an employment centre in accordance with the strategic direction set down in section 14.8.6 of the development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development, by reason of its proximity to the site boundaries and third-party lands, would have a detrimental impact on the development potential of the adjoining lands to the east and west, would unduly diminish neighbouring development potential and thus the consolidated redevelopment of the area. As

such, the proposed development would be contrary to the land use zoning objectives for the site and adjoining area, and would, therefore, be contrary to the proper planning and sustainable development of the area.

Note:

The Board noted the recommendation of the Inspector to include a third reason for refusal. The recommended reason for refusal related to the view of the Inspector that the proposed development, by reason of the site configuration, context and setting, would offer a poor standard of amenity for future occupants of the proposed residential units by virtue of its proximity to the adjoining commercial / industrial uses to the north, east and west of the site and by the inclusion of north-facing, single-aspect units and that the proposed development would, therefore, be contrary to the “Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities” (2020) and the proper planning and sustainable development of the area. The Board noted and shared the concerns as set out by the Inspector. However, it was considered that this would constitute a new issue in the context of the appeal and having regard to the substantive reasons for refusal set out above, it was decided not to pursue this matter under the current appeal.

Board Member



Chris McGarry

Date: 19/09/2022