



An  
Bord  
Pleanála

**Board Direction**  
**BD-014799-23**  
**ABP-313127-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 06/12/2023.

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

### **Reasons and Considerations**

The site is located in an area zoned objective 'E', "to provide for economic development and employment", in the current Dun Laoghaire Rathdown County Development Plan 2022 – 2028. The Board considers that the proposed development would contravene the zoning objective as set out in this Plan as 'Residential – BTR', introduced as a new distinct use class in the new Dun Laoghaire Rathdown County Development Plan 2022 – 2028 is 'not permitted' within the 'E' zone. Furthermore, it is considered that the proposed development is contrary to Table 12.1 'Apartment Mix Requirements' of the Dun Laoghaire Rathdown County Development Plan 2022 – 2028, and the Housing Strategy and Housing Need Demand Assessment (HNDA) 2022 – 2028, where the apartment mix requirements provide for a minimum of 40% for 3-bed plus units. The proposed development would therefore be contrary to the relevant provisions of the Dun Laoghaire Rathdown County Development Plan 2022 – 2028 and the proper planning and sustainable development of the area.

### **[Note:**

The Board noted and shared the opinion of the Inspector that in terms of the broad proportionality of use of mixes within the 'E' zoned lands the primary

objective for the lands is not compromised, and in terms of proportionality the overall use mix is considered acceptable.

The Board also noted and shared the opinion of the Inspector that in terms of the physical form and massing of the proposed development being proportional to their strategic role in the wider place hierarchy and their associated legibility functions at this prominent location, the height was not of itself considered a reason for refusal.

The Board also considered the interdependence of the various uses and buildings within the scheme. In this regard it was considered that, as a consequence of the reason for refusal and the likely reconfiguration of residential form, scale, layout and disposition on site in any potential subsequent development proposed, it would not be appropriate to attempt to sever the residential floorspace from the remainder of the overall scheme in this instance, by means either of condition, or part grant / part refusal of permission.]

[Please issue a copy of this Direction with the Board Order to the parties.]

**Board Member**

  
Stephen Bohan

**Date:** 06/12/2023