



**An
Bord
Pleanála**

**Board Direction
BD-013185-23
ABP-314131-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 02/08/2023.

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 proposed development entails the provision of 97 no. apartment units with a unit mix split between 28 no. one bed apartments and 69 no. two bed apartments units. Table 12.1 of the Dun Laoghaire Rathdown County Development Plan specifies that in areas classified as New Residential Communities' as identified on the Core Strategy Map (Figure 2.9) within which the application site is located in, for developments of 50+ units (apartments) a minimum requirement is the provision of a minimum of 40% of 3+ bedroom units (apartments). The proposed unit mix does not comply with the requirement explicitly set out under Development Plan policy and the proposed development would constitute a material contravention of Development plan policy. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development fails to provide all road users link between the Clay Farm Loop Road and Steapside Park, as shown in the Ballyogan and Environs Local Area Plan ('Link No. 4'). The proposal to provide a pedestrian and cycle link only would be contrary to conditions attached to extant planning permissions Reg. Ref. D98A/1000/PL 06D.111521 and

D13A/0190/PL.06D.242585 regarding long-term access arrangements for Stepside Park. As such, it is considered that the proposed development would not be in accordance with relevant transport, access, movement and phasing policies of BELAP 2019-2025m, including Policy MOV12 'New Linkages', and 'Figure 12.8: Site Development Framework-Kilgobbin', and would be contrary to the terms of the extant permissions. The proposed development would, therefore, not be in accordance with the proper planning and sustainable development of the area.

Note: The Board did give consideration that link No. 4 Road could be revised to provide vehicular access alongside pedestrian infrastructure in compliance with BELAP MOV 12 and extant planning permissions, however the Board noted the view of the Inspector that such a change would be beyond the scope of a condition and therefore decided not to pursue the matter.

Board Member



Peter Mullan

Date: 08/08/2023