



An
Bord
Pleanála

Board Direction
BD-018055-24
ABP-315425-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 04/11/2024.

The Board decided to refuse permission for the following reasons and considerations.

Reasons and Considerations

1. Having regard to relevant provisions of the Fingal Development Plan 2023-2029 and the density provisions of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (January 2024), it is considered that the proposed development of itself constitutes a poor disposition of units on the overall site. This is compounded by the overall scheme, including the elements proposed under the concurrent planning application (ABP-315450-23/ planning authority ref. FW22A/0237), which would lead to a net density of 184 dph, significantly in excess of the range which would generally be considered for such a site under the Ministerial Guidelines. Having regard to the specific location of the site, which it is considered to be 'City – Suburban/Urban Extension' as set out in the Guidelines and in relative isolation from high frequency public transport, the proposed development would not be in accordance with the density ranges which are open for consideration. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the Sustainable Urban Development Design Standards for New Apartments (2023), which includes transitional arrangements for Build to Rent

schemes, and Specific Planning Policy Requirement (SPPR) 7, which seeks to ensure such schemes include detailed proposals for resident support facilities, services and amenities, and noting the reliance on the provision of such facilities as part of a separate concurrent planning application (ABP 315450-23/ Planning Authority ref. FW22A/0237), it is considered that this proposed development would result in a substandard form of residential and recreational amenity for future occupants and would not be in accordance with the relevant design standards. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered it appropriate to consider the density of the overall scheme, taking account of the concurrent planning applications, (ABP-315425-22/ Planning Authority Ref. FW22A/0228 and ABP-315450-23/ Planning Authority ref. FW22A/0237), on the subject site, which it is considered would meet the definition of a 'City – Suburban/Urban Extension' location as set out in Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (January 2024). In such suburban areas, densities in the range 40 dph to 80 dph (net) shall generally be applied. While the Board noted that densities of up to 150 dph (net) shall be open for consideration at 'accessible' suburban/urban locations, it is considered that the subject site fails to meet this test, given the distance to existing or planned high frequency public transport services. Furthermore, in relation to the provision of an appropriate level of residential and recreational amenities in accordance with design standards for Build to Rent schemes, the Board did not agree with the Inspector's view that it would be appropriate to attach a condition to require the concurrent development of both phases of development, given Phases 1 and 2 are being pursued as separate planning applications. The Board, in agreement with the planning authority, considered that the proposals put forward by the applicant on appeal to provide 'temporary' residential and recreational facilities as part of Phase 1 would not be acceptable, given the lack of certainty regarding the duration of this 'temporary' period and timing for the delivery of the Phase 2 development. Given these matters, a refusal of planning permission is warranted.

Board Member



Martina Hennessy

Date: 04/11/2024