



An
Bord
Pleanála

Board Direction
BD-017268-24
ABP-315595-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 19/08/2024.

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 access arrangements, including the proposals for additional signalisation and amended road markings on Murphystown Way, represent a significant imposition on current and likely future movements by foot, cycle, vehicle, and rail. The amendments to routes, junctions, and priorities that would result on foot of the subject proposal would represent a threat to the efficiency, convenience, and safety of users of all such modes. In particular, the impact of the proposed access arrangements on the pedestrian and cycle movements to and from the adjacent development to the northeast, the impact on Luas movements by virtue of the potential for vehicles to block the lines, and the impact on vehicular movements on Murphystown Way by virtue of the resultant reduction in the efficiency of the new signalised junction to the north, are contrary to the proper planning and sustainable development of the area. The proposed development would endanger public safety by reason of traffic hazard and obstruction of road users. It would also be contrary to Policy Objective T8 which seeks to facilitate and support the Luas Green Line Capacity Enhancement Project to cater for the demand for Luas trips in the County in the short and medium term and also Policy Objective T9 of the Dún Laoghaire-Rathdown Development Plan, 2022-2028, which seeks in part to

facilitate the extension of the Luas network in a manner that accords with the NTA's 'Greater Dublin Area Transport Strategy 2016-2035'. Accordingly, the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development represents an excessive loss of trees on the site and fails to respond to the opportunities for quality development, and retention of natural heritage, offered by the current extent of vegetation on site. New developments in such site-specific circumstances are required under Section 12.8.11 of the Dún Laoghaire-Rathdown Development Plan, 2022-2028, to be designed to incorporate, as far as practicable, the amenities offered by such natural features. Additionally, Section 12.7.3 of the Development Plan which deals with the matter of sensitive site features requires all new developments of any scale to ensure that existing site features such as specimen trees, stands of mature trees are retained and that high quality new planting or other landscaping appropriate to the character of the area to be provided. It also sets out that existing significant on-site natural features must influence the layout of new development schemes. It is also a requirement under Section 12.3.7.7 Policy Objective PHP19 which deals with the matter of infill development that new development retain the physical character of the area including features such as trees. As such, the proposed development would be contrary to the provisions of the County Development Plan 2022 and would be contrary to the proper planning and sustainable development of the area".

[Notes:

- (i) Given the significant loss of trees from this site it is not considered that a high-quality landscaping scheme has been demonstrated including one that will give rise to appropriate compensatory tree planting that would overcome the erosion of the site's sylvan character and its positive contribution to its setting. Furthermore, it is considered that the proposed development, by reason of its design and layout, the extent of mature tree loss, its scale, massing and bulk at this site, would materially erode and diminish the special sylvan character of the site and its contribution to its

setting, including as appreciated from the public domain in a manner that would be contrary to the urban greening approach and strategy for trees within the County. It is also considered that the proposed five storey building fails to graduate its height as well as built form in proximity to the Gate Lodge building and also the Glencairn residential scheme that bounds the southern and part of the eastern boundary of the site. Notwithstanding this, the Board considered that the setting of the Gate Lodge would not be adversely impacted given the significant newly constructed residential development adjacent and the separation distance from the proposed development.

- (ii) Contrary to the view of the Inspector that the proposed development would constitute overdevelopment of the site by virtue of its density when taken together with the building height, the Board had regard to the Compact Settlement Guidelines 2024 and given the proximity of the proposed development to the Luas high-capacity transport node the Board was satisfied that the density was appropriate. The Board also noted that the planning authority did not include density as a reason for refusal.
- (iii) The Board noted the flexibility in car parking provisions the Dún Laoghaire-Rathdown Development Plan, 2022-2028 which may allow a deviation from the standard number of car parking spaces specified in Table 12.5.]

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

Board Member


Stephen Bohan

Date: 19/08/2024