

An
Bord
Pleanála

Board Direction
BD-017630-24
ABP-320407-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/09/2024.

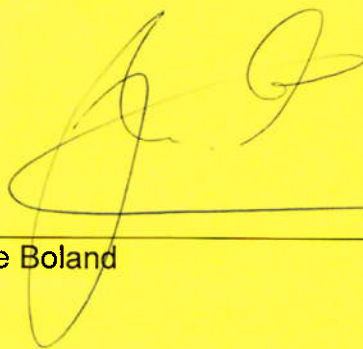
The Board decided by majority decision (2:1) to set aside the determination of the local authority and allow the appeal, in accordance with the Inspector's recommendation and reasons and considerations.

Reasons and Considerations

The lands identified as Pinnock Hill, Miltonsfield, Airside, Swords (R132) (Parcel ID FL0000003403) are located on lands zoned MRE-Metro and Rail Economic Corridor, which facilitates mixed use including residential development and, therefore, are considered in scope of section 653B(a). The subject site immediately adjoins the R132 along its northern boundary and UE capacity registers indicate that there is capacity available in the water network to serve the site. The current Railway Order Application, which relates to the majority of the site, creates an impediment to connectivity to roads and services. The eastern part of the site that does not form part of the Railway Order Application under ABP Ref. 314724 does not have direct frontage onto any public road and, therefore, it is reasonable to consider that this area cannot connect to public infrastructure or facilities. When considered in isolation, the eastern portion of the site does not meet the criteria for inclusion on the RZLT map under Section 653B(b) of the act. The northern, central and western areas of the site are included in the land take under the Railway Order Application for the metro link project (ABP Ref. 314724). Whilst this application has not been granted, it is reasonable to consider that any

application for residential development at the site would be considered premature pending the Board's decision. In this way, it is reasonable to consider that the lands that form part of application ABP Ref. 314724, as shown in Figure 3 of the appeal statement, are required for transport facilities and, therefore, meet the criteria for exclusion under Section 653B(iii) of the Act. There are no other physical conditions at the site that would preclude the provision of dwellings on the lands, with reference to Section 653B(c) of the Act.

Board Member



Joe Boland

Date: 27/09/2024