

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

## South Dublin County

**Planning Register Reference Number: SD15A/0388**

An Bord Pleanála Reference Number: PL 06S.247074

**APPEAL** by Helen Grehan care of Doyle Kent Planning Partnership Limited of 71 Carysfort Avenue, Blackrock, County Dublin and by Kelland Homes Limited and Durkan Estates Limited care of Delphi Designs Limited of Unit 3, The Seapoint Building, 44-45 Clontarf Road, Dublin against the decision made on the 15<sup>th</sup> day of July, 2016 by South Dublin County Council to grant subject to conditions a permission to the said Kelland Homes Limited and Durkan Estates Limited in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** A residential development consisting of 218 number three and four bed two storey houses and a crèche (246 square metres) to be built on a site of circa 8.16 hectares at Boherboy, Saggart, County Dublin, which will form Phase 1 of development of the Boherboy Neighbourhood within the Fortunestown Local Area Plan (2012). The proposed development consists of two adjoining sites to be developed by (a) Kelland Homes Limited for 111 number dwellings on the eastern side, bounded by the Corbally Stream and (b) by Durkan Estates Ireland Limited for 107 number dwellings and a crèche on the western side, and in total provides for 17 number four bed detached houses, 41 number four bed semi-detached houses, 144 number three bed semi-detached houses and 16 number three bed terraced houses. The adjoining lands to the north are in the same ownership and form the remainder of the Boherboy Neighbourhood, to be developed in the future, with the Boherboy Road bounding the site to the south. Access to the development will be via two number vehicular access points from the Boherboy Road, along with the provision of a roadside footpath at the Boherboy Road. The proposed development also includes for all associated site development works, public open spaces, including alongside the Corbally Stream, landscaping and provision of a pedestrian link

to the District Park to the north-east. Surface water will be attenuated within the site, with outfall to existing watercourses, with foul sewer connected to a proposed new pumping station located at the northern end of the site, on an overall site area of 17.48 hectares.

## **DECISION**

**REFUSE permission for the above proposed development based on the reasons and considerations set out below.**

## **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **REASONS AND CONSIDERATIONS**

1. Having regard to the level of flooding identified on the application lands in the Fortunestown Local Area Plan (Appendix 6, Flood Risk Mapping) and in the absence of hydrological modelling and a detailed site-specific flood risk assessment that would clearly demonstrate that the proposed development would not itself be at risk of flooding, or that it would not give rise to an increased risk of flooding downstream, the Board is not satisfied that the site is suitable for development across much of its extent. It is considered that the proposed development would, therefore, be contrary to the provisions of the “Planning System and Flood Risk Management-Guidelines for Planning Authorities” (2009) and would be contrary to the proper planning and sustainable development of the area.
2. Having regard to:
  - the South Dublin County Development Plan 2016-2022,
  - the removal of hedgerows and the resultant lack of an integrated biodiversity network as identified as an Objective in the Fortunestown Local Area Plan,

- the objectives set out in the Design Manual for Urban Roads and Streets (DMURS),
- the detailed guidance for the site with regard to urban design as set out in the Local Area Plan,
- to the peripheral location of the main active public open space area, and
- to the unsatisfactory quantum of rear private amenity space resulting in substandard residential amenity for future occupants,

the Board considered that the proposed development would be contrary to the provisions of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns & Villages) 2009, the Design Manual for Urban Roads and Streets (DMURS) and the South Dublin County Development Plan 2016-2022 which promote the high quality design, and location of public and private open space in addition to detailed guidance on street design, road widths, the establishment of “home zones” and a clear hierarchy of spaces. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this                    day of                    2016.**