



An
Bord
Pleanála

Board Order PL06S.248206

Planning and Development Acts 2000 to 2017

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD16A/0443

Appeal by Mardivale Limited care of Manahan Planners of 38 Dawson Street, Dublin against the decision made on the 20th day of February, 2017 by South Dublin County Council to refuse permission to the said Mardivale Limited.

Proposed Development Mixed use development consisting of demolition of existing public house building and of existing incomplete building on the east side of the site; construction of step down facility consisting of two number three-storey buildings connected by link corridor with two integrated retail units at lower ground floor level with associated refuse storage, car parking area for 51 number cars and bicycle racks for 30 number bicycles; construction of primary healthcare centre two-storey building with integrated pharmacy at the ground floor level with associated refuse storage, car parking area for 80 number cars and bicycle racks for 28 number bicycles; construction of three-storey child care facility building with the ground and first floors specialising in childcare and the second floor will be a children's activity play centre with associated party rooms and toilets, with associated refuse storage, car parking for 14 number cars and bicycle racks for 24 number bicycles; a new footpath along the Boherboy Road/Saggart Road (L2008); the main vehicular and pedestrian entrance to the development will be off the Boherboy Road/Saggart Road (L2008); a new pedestrian entrance off the N81 Blessington Road; a new layby for bus stop on the Blessington Road; two sub-stations; improvement works to junction

of L2008 and N81 roads so as to create a T-junction between Boherboy Road and Blessington Road, together with all associated site works, boundary treatments, landscaping and signage, all at The Embankment, Blessington Road, Tallaght, Dublin (bounded by the N81 and L2008).

Decision

REFUSE permission for the above proposed development in accordance with 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. The subject site is located on lands zoned objective RU in the South Dublin County Development Plan 2016-2022, which aims “to protect and improve rural amenity and to provide for the development of agriculture”, and outside any village or other settlement. A primary care centre, a shop-local and a child care facility are “open for consideration” only in villages “to serve local needs” within this zoning. A step down facility, which use is equivalent to a nursing home, is not permitted within lands zoned RU. The proposed development would, therefore, contravene materially the RU development objective indicated in this development plan for the zoning of land and would, therefore, be contrary to the proper planning and sustainable development of the area

2. Having regard to the location of the proposed development within a rural area, outside of any existing settlement, and at a location that is poorly served by public transport and with inadequate pedestrian and cycling links to existing settlements, it is considered that the proposed healthcare facility, retail units, childcare facility and step down facility would contravene the respective policies and objectives of the South Dublin County Development Plan 2016-2022: Objectives C11-2, C11-3, C11-4, Objective R1-3, Objective C8-1, Policy H3 and Objectives H3-1, IE-6, which seek to locate such uses centrally within existing settlements, close to public transport and within safe walking and cycling distance from residential areas. The proposed development would, therefore, contravene materially the policies and objectives of the South Dublin County Development Plan 2016-2022, and be contrary to the proper planning and sustainable development of the area.

3. The proposed development would generate a significant volume of traffic and turning movements which the road network in the vicinity of the site is not capable of accommodating safely due to the restricted capacity of the Boherboy Road, L2008 and of its junction with the Blessington Road, N81. The proposed development, which is served by a single entrance with restricted sightlines would, therefore, give rise to serious traffic congestion and adversely affect the use of the L2008 and N81 and would endanger public safety by reason of traffic hazard and obstruction of road users. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2017