



Planning and Development Acts 2000 to 2017

Planning Authority: Fingal County Council

Planning Register Reference Number: FW16A/0191

Appeal by Kavcre Tyrellstown Limited of 7th Floor, College House, Townsend Street, Dublin in relation to the application by Fingal County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 32 of its decision made on the 25th day of May, 2017.

Proposed Development: Amendments and alterations to the residential development permitted under planning register reference number FW15A/0009. The proposed alterations will consist of a revised development of 185 number two-storey semi-detached and terraced dwellings (an increase from the permitted 175 number units) to comprise of 36 number two bedroom Type E units, 80 number three bedroom Type A units, 25 number three bedroom Type B units, nine number three bedroom Type C units, 14 number three bedroom Type D units, four number three bedroom Type H units (132 number three bedroom units are provided in total), three number Type F four bedroom units and 14 number four bedroom Type G units (17 number four bedroom units are provided in total). The proposed development will also include for all associated site and infrastructural works including foul and surface water drainage, surface car parking (177 number in-curtilage spaces, eight number in parking courtyard), one number Electricity Supply Board substation, public open space, landscaping, boundary treatment, new internal roads, cycle paths, footpaths and pedestrian and vehicular linkages to the adjoining site (planning

register reference number FW14A/0108 refers), on a site of circa 8.33 hectares. The proposed development shall be subject to two number phases in accordance with the Kilmartin Local Area Plan. (Phase 1 will consist of 85 number dwellings and Phase 2 will consist of 100 number dwellings). Vehicular access to the site will be provided from an existing link road off the roundabout on the M2/N3 Link Road to the south of the site. In addition, the proposed development provides for the reservation of circa one hectare of the total site area for the future provision of a new post-primary school site, in accordance with the Kilmartin Local Area Plan. An Environmental Impact Statement was submitted with the previous application where it was concluded that no significant long term negative impact would result to the receiving environment. All at Hollywoodrath, Hollystown, Dublin. The site is located on the southern side of the junction of the Ratoath Road and the R121 (Church Road), and to the north of the M2/N3 link road.

Decision

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had been properly applied in respect of condition number 32 and directs the said Council to ATTACH condition number 32 and the reason therefor.

Reasons and Considerations

Having regard to the planning history of the site and the provisions of the Fingal County Development Plan 2017-2023 and to the extent of the shortfall in open space provided, it is considered appropriate that an appropriate financial contribution be levied and, therefore, the attachment of condition number 32 would be in accordance with the proper planning and sustainable development of the area.

