



An  
Bord  
Pleanála

**Board Order**

**PL 06D.249147**

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## **Planning and Development Acts 2000 to 2017**

**Planning Authority: Dún Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D17A/0518**

**Appeal** by Victoria Homes Limited care of Joe Bonner Town Planning Consultant of 127 Lower Baggot Street, Dublin against the decision made on the 2<sup>nd</sup> day of August, 2017 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

**Proposed Development:** Construction of eight number five bed three storey houses consisting of four number detached houses and four number semi-detached houses, new access road and entrance gate onto Upper Gleangear Road, provision of off street parking, connection to local authority public sewer system, new boundary treatments/landscaping and all associated site works at Arva, Upper Glenageary Road, Glenageary, Dublin.

## **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. It is the policy of the planning authority as set out under section 2.1.3.3 Policy RES3 of the Dún-Laoghaire-Rathdown County Development Plan 2016-2022 to promote higher residential densities. The site is located within just over one kilometre from Glenageary Dart station, where densities at a minimum of 35 dwelling units per hectare are encouraged. It is also policy under section 2.1.3.7 Policy RES7 to provide for a variety of house types. It is considered that the selected housing typology has unduly constrained the achievement of higher densities. The proposed development would, therefore, set an undesirable precedent for similar sites, would materially contravene the policies of the current County Development Plan and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development by reason of the inadequate provision of public open space would constitute a substandard form of development which would seriously injure the amenities of property in the vicinity and of the residents of the proposed development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Under Policy OSR7 of the Dún Laoghaire Rathdown County Development Plan 2016-2022, it is the policy of the planning authority to ensure that tree cover in the county is managed and developed. The site is subject to an objective identified on Map 7 of the development plan to protect and preserve trees and woodlands. Having regard to the layout of the proposed development including the proximity of houses to the northern site boundary, it is considered that the proposed development would militate against the protection of trees on the site and therefore contravenes the provisions of the development plan and would, therefore, be contrary to the proper planning and sustainable development of the area.
  
4. Having regard to the proposals for surface water disposal and the constraints in the drainage network in the area, and in the absence of definitive proposals for surface water attenuation and a site specific flood risk assessment, the Board is not satisfied that the proposed development would not give rise to flooding of adjacent lands.

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

**Dated this        day of                                2018**