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**Planning and Development Acts 2000 to 2017**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F17A/0327**

**APPEAL** by Lusk Community Council of Carnegie Library Community Hall, The Green, Lusk, County Dublin and by Dwyer Nolan Developments Limited care of Fenton Associates of Unit 13, The Seapoint Building, 44-45 Clontarf Road, Dublin against the decision made on the 26<sup>th</sup> day of January, 2018 by Fingal County Council to grant subject to conditions a permission to Dwyer Nolan Developments Limited.

**Proposed Development** Construction of a residential development consisting of 228 number dwelling units comprising of five number four-bed detached units, 21 number four-bed semi-detached units, 106 number three-bed semi-detached units, one number three-bed detached house, 87 number three-bed terrace houses, eight number two-bed terrace houses and a crèche of 234 square metres including all associated site development works including car parking, landscaping, public open spaces and piped and wired services on a site area of approximately 8.26 hectares (20.4 acres) located on Ministers Road in the town-land of Regles, Lusk, County Fingal with two accesses from Ministers Road opposite Dun Emer Estate and lies west of lands zoned for recreational purposes and east of lands zoned for science and technology along Ministers Road, all at Ministers Road, Regles, Lusk, County 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. The site of the proposed development is on serviced lands within the development boundary of Lusk, which is designated as a Moderate Sustainable Growth Town in the Regional Planning Guidelines for the area and in the Core Strategy of the Fingal County Development Plan 2017 – 2023. It is a requirement of the development plan, that the number of dwellings to be provided on a site should be determined by reference to the guidance contained in the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities, issued by the Department of Environment, Community and Local Government, 2009. The Guidelines state under Section 5.11 that the greatest efficiency in land usage on outer suburban/greenfield sites will be achieved by providing net residential densities in the general range of 35-50 dwellings per hectare, that such densities should be encouraged generally, and that development at net densities of less than 30 dwellings per hectare should generally be discouraged in the interest of land efficiency. It is considered that the development of the site at a density of 27.6 units per hectare would not be at a sufficiently high density to provide for an acceptable efficiency of development on zoned and serviced land. It is, therefore, considered that the proposed

development would not comply sufficiently with Government Guidelines, particularly the Guidelines for Planning Authority on Sustainable Residential Development in Urban Areas and would conflict with the provisions of the development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The Greater Dublin Area Cycle Network Plan, 2013 sets out a strategy for the provision of an integrated cycle network within the Greater Dublin Area and has been integrated into the Transport Strategy for the Greater Dublin Area 2016 – 2035. The proposed cycle network for the Central Fingal Sector, including Lusk, is detailed in ‘Part 4C – Sheet N10’ of the Cycle Network Plan and includes a proposed feeder cycle route ‘Route L1: Lusk to Rush’ along Ministers Road. The proposed development fails to make adequate provision for the provision of a ‘feeder’ cycle route along the northern road edge. The proposed development is, therefore, contrary to the terms of the Greater Dublin Area Cycle Network Plan, 2013 and to the terms of the Greater Dublin Area Transport Strategy 2016 – 2035. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

**Dated this            day of            2018.**