



Planning and Development Acts 2000 to 2018

Planning Authority: Fingal County Council

Planning Register Reference Number: F17A/0757

APPEAL by Alhans Limited (In Receivership), Declan McDonald Receiver care of John Spain Associates of 39 Fitzwilliam Place, Dublin against the decision made on the 14th day of February, 2018 by Fingal County Council to refuse permission.

Proposed Development: 1. 81 number two-storey residential houses comprising of four number two-bedroom units, 52 number three-bedroom units and 25 number four-bedroom units, including private open space and two number parking spaces per unit; 2. The provision of a creche within the development of 164 square metres gross floor area and two number staff car parking spaces and three number drop off spaces; 3. Vehicular access to the development is to be provided onto the Malahide Road with a secondary emergency access to Baskin Lane; 4. Pedestrian/cyclist access points to the Malahide Road and Baskin Lane; 5. Upgrade works to the Malahide Road and Chapel Road to provide for an additional lane and revised traffic signalisation and associated works; 6. SuDS attenuation ponds in the north of the site; 7. Associated landscaping, public open space, boundary treatments, site infrastructure (including internal roads, storm and foul sewers, SuDS and connection to the public systems), utilities, two substations and all associated site development works on a site of circa 4.3 hectares, located in the townland

of Kinsaley to the south of the River Sluice, immediately west of the Malahide Road (R107) and immediately north of Baskin Lane, Kinsealy (also referred to as Kinsaley), Malahide, 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

It is an objective of the Fingal Development Plan 2017-2023 to implement the Road Improvement Schemes that are listed in Table 7.1 of the plan within the plan period and to reserve the corridors of the proposed road improvements free of development (Objective MT41). This objective is considered reasonable. The route corridor of a proposed road scheme, the R107 Malahide Road Realignment, Balgriffin Bypass, runs through the appeal site. The proposed development, by reason of its proximity to the indicative route corridor, has the potential to prejudice the delivery of this road scheme. The proposed development is, therefore, premature pending the determination by

the planning authority of a road layout for the area. It is considered that the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2018.