



An
Bord
Pleanála

Board Order

ABP-304828-19

Planning and Development Acts 2000 to 2019

Planning Authority: South Dublin County Council

Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with plans and particulars, lodged with An Bord Pleanála on the 4th day of July 2019 by Kelland Homes Limited and Durkan Estates Ireland Limited care of Delphi Planning and Architecture, 13 Seapoint Building, 44/45 Clontarf Road, Clontarf, Dublin 3.

Proposed Development:

A permission for a strategic housing development at Boherboy, Saggart, County Dublin. To the immediate north of the site is the Carrigmore residential estate, to the west are agricultural lands and a single dwelling, to the east is the Corbally residential estate while to the south is the Boherboy Road.

The proposed application represents the development of the entire Boherboy Neighbourhood as identified within the Fortunestown Local Area Plan (2012). The proposed development consists of two adjoining sites to be developed by (a) Durkan Estates Ireland Limited for 279 number dwellings on the western side and (b) Kelland Homes Limited for 330 number dwellings and a crèche on the eastern side.

The proposed development will consist of 609 number dwellings, comprised of:

- 267 number three and four-bed, two-storey detached, semi-detached and terraced houses,
- 158 number one, two and three-bed duplex units in 16 number two and three-storey blocks, and
- 184 number one, two and three-bed apartments in six number four to five-storey blocks, and a two-storey crèche (506 square metres).

Access to the development will be via two number vehicular access points from the Boherboy Road, along with the provision of a roadside footpath along the front of the site at the Boherboy Road continuing eastwards to the junction with the N81 Blessington Road. The proposed development also provides for pedestrian and cyclist connectivity to the adjoining district park to the north-east.

The proposed development includes all associated site development works, public open spaces, including alongside the Corbally Stream, which will accommodate the provision of pedestrian / cyclist links to the district park to the north-east, hard and soft landscaping, surface car parking, bicycle parking, bin storage, public lighting, and Electricity Supply Board sub-stations.

Surface water will be attenuated within the site, with outfall to existing watercourses, with foul sewer connected to a proposed new pumping station located at the northern end of the site, on an overall application site area of 17.87 hectares. In accordance with the Fortunestown Local Area Plan (2012) an area of approximately 1.28 hectares is reserved for a school site.

Decision

Refuse permission for the above proposed development based on 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 Urban Design Manual – a Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in 2009, to accompany the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, includes key criteria such as context, connections, inclusivity, variety and distinctiveness. It is considered that the development as proposed results in a poor design concept that is substandard in its form and layout and lacks variety and distinctiveness. Also, the proposed development would not be in accordance with the Design Manual for Urban Roads and Streets issued by the Department of Transport, Tourism and Sport, and the Department of the Environment, Community and Local Government in 2013.
2. Having regard to the proximity of the Luas stops at Saggart and Fortunestown the Board considered that the proposed development with a net density of 30 number units per hectare to the south of the site would not be developed at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage and, therefore, the density proposed would be contrary to the provisions of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, as they relate to cities and towns and in particular to sites serviced by existing and planned public transport. The proposed development would, therefore, be contrary to these Ministerial Guidelines and contrary to the proper planning and sustainable development of the area.

3. It is considered that the Environmental Impact Assessment Report, together with the documentation submitted with the application, does not identify or describe adequately the direct, indirect, secondary and cumulative effects of the proposed development on the environment. The Board is not satisfied that the information contained in the Environmental Impact Assessment Report complies with the provisions of European Union Directive 2014/52/EU amending Directive 2011/92/EU, particularly with regard to biodiversity, water, traffic and landscape and visual impact, and accordingly it is considered that the Board cannot be satisfied that the proposed development would not have significant adverse effects on the environment.

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

Dated this day of 2019