



Planning and Development Acts 2000 to 2020

Planning Authority: Fingal County Council

Planning Register Reference Number: F19A/0452

APPEAL by Streamstown Wood Owners Management Company care of Philip Tyrell of 4 Streamstown Wood, Streamstown Lane, Malahide, County Dublin and by others and by Streamview Connect Trading DAC care of John Spain Associates of 39 Fitzwilliam Place, Dublin against the decision made on the 13th day of March, 2020 by Fingal County Council to grant subject to conditions a permission to the said Streamview Connect Trading DAC in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of 57 number residential units of detached, semi-detached, and terraced housing comprising of 4 number two-bed units; 14 number three-bed units; 37 number four-bed units; and 2 number five-bed units. Vehicular access to the development is to be provided from Streamstown Wood to the south and Park Avenue to the east. The Park Avenue entrance walls will be reconfigured. Two semi-detached dwellings will face onto Streamstown Lane. The boundary wall to the north of the site shall be 2.4 metres high. The boundary fence to the east shall be 2.4 metres high. The proposed development includes associated landscaping including the completion of the existing open space, public open space, boundary treatments, site infrastructure (including internal roads, storm and foul sewers, SuDS and connection to the public systems), utilities, and all associated site development works on a site of circa 2.65 hectare on lands at Streamstown

Wood, Streamstown Lane, Streamstown, Malahide, County Dublin, as amended by the further public notice received by the planning authority on the 20th day of February, 2020.

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

In coming to its decision, the Board had regard to:

- (a) the policies and objectives of Fingal County Development Plan 2017-2023,
- (b) the National Planning Framework issued by the Department of Housing, Local Government and Heritage in 2019,
- (c) the Regional Spatial and Economic Strategy for the Eastern and Midlands Assembly 2019-2031,

- (d) the Guidelines for Planning Authorities on the Sustainable Residential Development in Urban Areas (Cities, Towns & Villages) issued by the Department of the Environment, Heritage and Local Government in 2009,
- (e) the Urban Development and Building Heights – Guidelines for Planning Authorities issued by the Department of Housing, Planning Local Government and Heritage in 2018,
- (f) 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, and
- (g) the Planning System and Flood Risk Management’ Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in 2009,

and considered that the proposed development as permitted by the planning authority would not at a net density of 24.9 units per hectare, constitute an acceptable residential density in this outer suburban/greenfield location, and considered that it is not in accordance with the density range set out in Section 5.11 ‘Outer Suburban / Greenfield Sites’ of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) which states inter alia that “the greatest efficiency in land usage on such lands will be achieved by providing net residential densities in the general range of 35-50 dwellings per hectare and such densities (involving a variety of housing types where possible) should be encouraged generally”. The Board, therefore, considered that the proposed development would be contrary to the proper planning and sustainable development of the area.

Furthermore, the Board considered that the plans and particulars submitted on the 24th day of September, 2019 (whilst in compliance with the Section 5.11, 'Outer Suburban/ Greenfield Sites' of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas), is dominated by roads and surface car parking and results in a poor design concept for the site that is substandard in its form and layout, fails to establish a sense of place, and includes a poor quality of urban and architectural design. The proposed development would seriously injure the residential amenities of future occupants and contrary to the provisions of the Urban Design Manual – a Best Practice Guide, in particular number 7 Layout, and provisions 2.2.1 of the Design Manual for Urban Roads and Streets and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the proposed development at a density of 24 units per hectare was not in accordance with the density range set out in Section 5.11 'Outer Suburban/ Greenfield Sites' of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and would, therefore, be contrary to the proper planning and sustainable development of the area.

Paul Hyde

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

Dated this day of 2020.