



Planning and Development Acts 2000 to 2020

Planning Authority: Fingal County Council

Planning Register Reference Number: F19A/0638

APPEAL by Rivermeade Properties Limited care of Adrian Hill Architects of 15 The Seapoint Building, 44/45 Clontarf Road, Clontarf, Dublin and by Aidan Duggan of Grass Roots, Tobercurr Road, Saint Margaret's, County Dublin against the decision made on the 19th day of August, 2020 by Fingal County Council to grant subject to conditions a permission to the said Rivermeade Properties Limited.

Proposed Development: Phase I of a two-phase masterplan for a residential, commercial and community services development. The proposed Phase I will consist of 99 number houses (2 number by two-bed dormer bungalows, 74 number by three-bed two-storey dwellings and 23 number by four-bed two-storey dwellings) with associated car parking, public open space and children's play area; a two-storey building containing a creche (321.9 square metres) over two floors and a local shop (192.9 square metres) with office/commercial use above (209.5 square metres); a new 3.56 hectare public park (including replacement sports pitch) to the north, a new access road from Rivermeade Drive to the development including a bridge over the Ward River, a new sewerage pumping station and drainage system connecting to the public sewer, together with one electricity sub-station and all associated site works, landscaping and boundary treatments. Emergency access is provided to Toberburr Road. The proposed development is located

in the townlands of Toberburr, Westereave and Kileek, Rivermeade, Toberburr Road, Swords, County Dublin, as amended by the further public notice received by the planning authority on the 21st day of May, 2020.

Decision

REFUSE permission 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 Rivermeade Local Area Plan (LAP) 2018 establishes that Rivermeade has the capacity to accommodate circa 273 additional residential units following assessment of the remaining available residential capacity under the Core Strategy for the identified small towns and villages in the Metropolitan Area. The proposed development of 99 residential dwellings represents an excessive number of units over the established development parameters for Development Area 9 and part of Development Area 11 in the Rivermeade Local Area Plan 2018. The proposed development also fails to have adequate regard to proper phasing and co-ordinated approach to the development of the lands at this location in accordance with the Local Area Plan with no measures proposed for the early provision of any of the recreational and community development earmarked for Development Areas 4, 6, 7 and 8 in conjunction with the provision of additional dwellings, or a detailed

phasing proposal in terms of the upgrading of existing public roads in the vicinity of the site, which are currently deficient in terms of width, provision of pedestrian facilities and public lighting. To permit the proposed development would be contrary to the policies and objectives of the Rivermeade Local Area Plan 2018 in terms of the level of residential development, the appropriate phasing of development and the delivery of sufficient road infrastructure to serve the proposed development. The proposed development would give rise to haphazard and uncoordinated development and would, therefore, contrary to the proper planning and sustainable development of the area.

2. The appeal site is situated in a remote location where there is a high dependence on vehicular traffic as opposed to other modes of transport, the existing road network in the vicinity of the site is deficient in width, alignment and the provision of pedestrian facilities and public lighting. Notwithstanding the phasing policy contained in the Rivermeade Local Area Plan (LAP) 2018, the proposed development would be premature due to the deficiency in the existing road network serving the area, including considerations of width, capacity and alignments which would render the existing road network unsuitable to carry the increased road traffic likely to result from the proposed development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2021.