

Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 3975/19

APPEAL by Camgill Property A Tri Limited care of John Spain Associates of 39 Fitzwilliam Place, Dublin against the decision made on the 29th day of October, 2020 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: Retention permission and planning permission relating to an existing car park. The existing car park containing 207 number spaces was subject to a 5-year temporary planning permission, under Register Reference: 2409/14, which has now expired. This application seeks retention permission for the current use of the car park and a further 5-year temporary permission for the use of the car park, on a 0.79 hectare site to the north of existing Block B (Rosemount House), City Junction Business Park, Northern Cross, Malahide, 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 is located within an existing and largely developed area of land with a Z14 zoning designation within the Clongriffin-Belmayne Area, identified as a Strategic Development and Regeneration Area 1 (SDRA 1) growth area within the city. It is considered that the retention and continued use of the site as a surface car park is a substandard and unsustainable use of a zoned and service site which is not consistent with the planning history of the site and adjoining lands or the Z14 zoning designation. It is not considered that any exceptional circumstances apply to justify the continued use of this land as car parking beyond the already permitted five-year temporary permission. The retention and continuation of the use would, therefore, be contrary to the policies and objectives of both the Dublin City Development Plan 2016-2022 and the Clongriffin-Belmayne Local Area Plan 2012-2022 and would be contrary to the proper planning and sustainable development of the area.

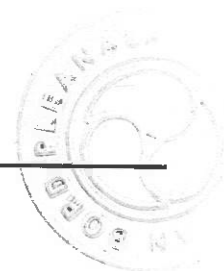
2. It is considered that the retention of the site for car parking would result in an excess of car parking spaces in the area over and above the maximum permitted in Table 16.1 of the Dublin City Development Plan 2016-2022 and would be contrary to policies MT2, MT13, MT15, MT16 and MT21 of the Development Plan with regard to promoting a modal shift from private car use towards sustainable transport policies. It is not considered that exceptional circumstances apply to permit an exemption to these policies and guidelines figures. The proposed development would, therefore, be contrary to the guidelines and policies set out in the Dublin City Development Plan 2016-2022 and would be contrary to the proper planning and sustainable development of the area.



Stephen Bohan

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this *12th* day of *May* 2021.