

An
Bord
Pleanála

Board Order ABP-312190-21

Planning and Development Acts 2000 to 2021

Planning Authority: Fingal County Council

Planning Register Reference Number: FW21A/0171

Appeal by Bartra Property (Porterstown) Limited care of Thornton O'Connor Town Planning of 1 Kilmacud Road Upper, Dundrum, Dublin against the decision made on the 16th day of November, 2021 by Fingal County Council to refuse permission for the proposed development.

Proposed Development: The demolition of a vacant dwelling and outbuildings (207 square metres) and the construction of 99 number apartments (46 number one bedroom and 53 number two bedroom apartments) in a five storey block (7,548 square metres). The development also proposes a vehicular access and pedestrian cycle accesses off Porterstown Road, the provision of 67 number car parking spaces, bicycle parking spaces, bin storage, balconies and terraces, external galley access to the apartments, hard and soft landscaping, boundary treatments, ESB substation, PV panels at roof level, plant and all associated site works above and below ground on a 0.90 hectare site at Porterstown Road, Porterstown, Dublin.

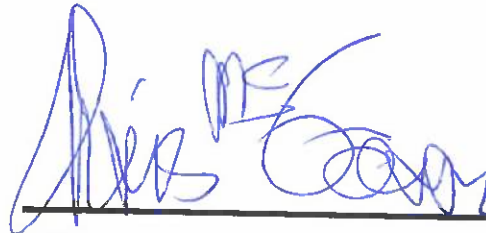
Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. Having regard to the prominence of the site location alongside the planned Royal Canal Greenway and a future public amenity space, its siting within the high sensitive 'River Valleys and Canal Character Type' in the Fingal Development Plan 2017-2023, it is considered that the proposed development, by reason of its overall layout and design strategy adopted including in particular the 'Z' shaped long continuous block design and the extensive length of external balconies proposed on the northern elevations, would result in a visually dominant and obtrusive feature that would detract from the character of the surrounding urban landscape and seriously injure the visual amenities of the area at this location. The proposed development would also be contrary to Objective NH37 which seeks to ensure that new development meets high standards of siting and design. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development does not adequately address the portion of the cycle/pedestrian link from Porterstown Road and Diswellstown Road (that is part of the cycle/pedestrian route included as a specific objective within the Fingal Development Plan 2017-2023) within the extent of the site boundaries. The design and layout would, therefore, be contrary to Objective Clonsilla 6 of the Fingal Development Plan which seeks in part 'the creation of a network of pedestrian and cycle routes between Clonsilla, the Royal Canal and the adjacent railway stations' together with related policy that promotes sustainable transport including the prioritisation of walking and cycling. Furthermore, the design does not satisfactorily adhere to the key design principles of connectivity, permeability, and sustainability, contained in the 'Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities' issued under Section 28 of the Planning and Development Act 2000, as amended, together with the accompanying 'Urban Design Manual: A Best Practice Guide'. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

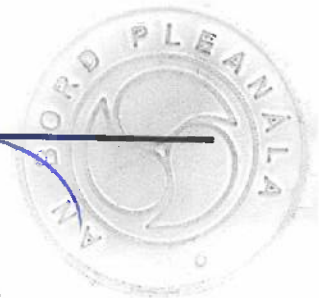


Chris McGarry

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this  day of  2023