

Planning and Development Acts 2000 to 2021

Planning Authority: South Dublin County Council

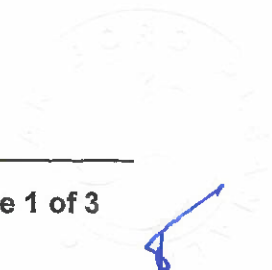
Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, in accordance with plans and particulars, lodged with An Bord Pleanála on the 11th day of January 2022 by AAI Palmerstown Limited care of HW Planning of 5 Joyce House, Barrack Square, Ballincollig, County Cork.

Proposed Development comprises of the following:

Demolition of an existing warehouse and factory building and the construction of a residential development of 144 number apartments with supporting tenant amenity facilities (gym and activity areas, lounges and meeting room), employment uses including two number incubator units and a remote working space, building management facilities and all ancillary site development works.

The proposed development includes 72 number one-bedroom apartment and 72 number two-bedroom apartments to be provided as follows:

- Building A (35 number one-bedroom and 24 number two-bedroom over five to nine storeys),
- Building B (seven number one-bedroom and 10 number two-bedroom over three to four storeys),
- Building C (16 number one-bedroom, 19 number two-bedroom over five storeys),



- Building D (14 number one-bedroom and 19 number two-bedroom over four to five storeys).

Vehicular access to the proposed development will be provided via an entrance from the existing estate road as accessed from Kennelsfort Road Upper.

The proposal includes improvement works on the northern side of the junction at the estate road and Kennelsfort Road Upper, new pedestrian and bicycle paths on the estate road to the south of the site, and provision of a controlled pedestrian crossing on Kennelsfort Road Upper to the west as part of enabling infrastructure.

The proposed development provides for outdoor amenity areas, landscaping, external podium lift, under podium and on street car parking, bicycle parking, bin stores, Electricity Supply Board substation, public lighting, roof mounted solar panels and all ancillary site development works all located at Units 64 and 65, Cherry Orchard Industrial Estate and Kennelsfort Road Upper, Palmerstown, Dublin 10.

Decision

Refuse permission for the above proposed development based on the reasons and considerations set out below.

Reasons and Considerations

Having regard to the proposed building heights, the location of the site within a regeneration area that is not subject of a Local Area Plan or a Planning Scheme and the provisions of the South Dublin County Council Development Plan 2016-2022, specifically urban centre policy UC6 Objective 3 directing tall buildings that exceed five storeys in height to regeneration areas that are subject of an approved Local Area Plan or a Planning Scheme, it is considered that the proposed development materially contravenes the urban centre policy UC6 Objective 3 of the South Dublin County Development Plan 2016-2022.

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The statutory requirements relating to the submission of a material contravention statement have not been complied with by the applicant in respect of this matter. Accordingly, the Board is precluded from granting permission in circumstances where the application is in material contravention of the Development Plan and where the statutory requirements referred to above have not been complied with.

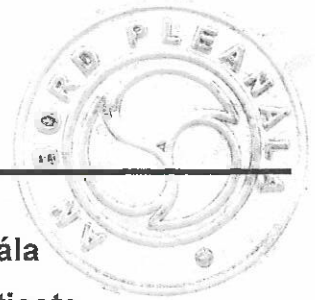
T. Ó Niadh

Terry Ó Niadh

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this *27th* day of *June*, 2022