



An  
Bord  
Pleanála

## Board Order

**ABP-313127-22**

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### Planning and Development Acts 2000 to 2022

**Planning Authority: Dún Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D21A/1145**

**Appeal** by IPUT Plc care of John Spain Associates of 39 Fitzwilliam Place, Dublin against the decision made on the 25<sup>th</sup> day of February, 2022 by Dún Laoghaire-Rathdown County Council to refuse permission.

**Proposed Development:** Mixed use development for which a ten-year permission is sought comprising of a gross floor area of 91,288 square metres, excluding the basement car parks, in 11 blocks varying in height from one to 11 storeys. The maximum height of the proposed development is 36.87 metres. The development will provide for 31,082 square metres gross floor area of office floorspace, 3,982 square metres gross floor area of retail warehousing floorspace, 7,929 square metres gross floor area of retail floorspace, which includes two number supermarkets (each including off-licence use) of 1,948 square metres gross floor area and 2,182 square metres gross floor area, 486 square metres gross floor area of retail services floorspace, 1,479 square metres gross floor area of leisure floorspace, 1,683 square metres of café/restaurant floorspace, 388 square metres gross floor area childcare facility, 658 square metres gross floor area of medical centre floorspace, 3,812 square metres gross floor area of cinema floorspace, and 624 square metres gross floor area of car showroom floorspace, along with all associated services, substation, and circulation floorspace. The development will provide for 440 number residential apartments, to include 308 number Build-to-Rent

apartments, within four number blocks. The proposed apartments comprise 61 number one-bedroom units, 60 number two-bedroom units, and 11 number three-bedroom units within Block A. The Build-to-Rent apartments comprise 121 number one-bedroom units, 170 number two-bedroom units, and 17 number three-bedroom units within Blocks B, C, and D. 1,278 square metres gross floor area of residents' amenity floorspace is located within Blocks A, B, C, and D. The development includes a series of open landscaped streets and green roofs and includes two levels of basement car parking and surface car parking to provide a total of 1,184 number car parking spaces. The development also includes 1,190 number cycle spaces at basement level, visitor cycle parking at ground level, shower and changing facilities, circulation areas, plant areas, service yards and fire escapes. Block A is a part one to part eleven-storey building over basement (level-1)/lower ground floor level and contains the following: 132 number apartments comprising 61 number one-bedroom units, 60 number two-bedroom units, and 11 number three-bedroom units. The building also accommodates residents' amenity space at lower ground, ground, and first floor levels, along with two number café/restaurant units, a retail unit, and lobbies at ground floor level. External terraces are provided at first and 10<sup>th</sup> floor levels, with balconies to all elevations. Blocks B, C, and D are part three to part nine-storey buildings over basement (level -1)/lower ground floor, and basement (level -2) levels, surrounding two number communal courtyard open spaces and contain the following: 308 number Build-to-Rent apartments comprising 121 number one-bedroom units, 170 number two-bedroom units, and 17 number three-bedroom units. These buildings also accommodate residents' amenity space, a childcare facility, and waste storage areas at lower ground floor level, along with three number retail units, three number retail services units, and one number café/restaurant unit at ground floor level, facing onto the main street. Balconies are provided to all elevations. Block E is a four-storey building over basement (level -1) level, and contains the following: three number café/restaurant units and office floorspace at ground floor level, with office floorspace at first to third floor levels. Blocks F and G are part two to part three storeys in height and are linked, surrounding an enclosed service yard accessed from the south, and contain the following: two number supermarket units (including off-licence use), eight number retail units (two number of which include first floor/mezzanine levels), one number retail warehouse unit

(which includes a first floor/mezzanine level), one number café/restaurant unit, and entrances to the cinema, medical centre, and leisure use at ground floor level. A leisure unit and medical centre are provided at first floor level, while a cinema (900 number seats) is provided at first and second floor levels. Blocks H and I is a six-storey building over basement, and contains the following: one number café restaurant unit at ground floor level within Block H, and a gym at ground floor level of Block I, with office space provided within both blocks from ground to fifth floors. Block K is a single storey car showroom building, located in the east of the subject site adjoining Glenamuck Road. Block J is a six-storey building over basement level, accommodating office space at ground to fifth floor levels, located in the north-west of the site adjoining Ballyogan Road. This scheme includes the new Ballyogan Link Road through an extension of Northfield Road to Ballyogan Road to the north, (which is currently under construction in accordance with the permission granted under planning register reference number D18A/0257 and An Bord Pleanála reference number 304396-19 (subject to a separate current amendment application). A roundabout is provided off Northfield Road which will provide a customer and servicing access and exit to and from the basement car park. The proposal provides for upgrades to Ballyogan Road, upgrades to Park Avenue and Glenamuck Link Road, including a new bus bay and pedestrian crossing along the Glenamuck Road. A vehicular entrance is proposed off the Ballyogan Link Road providing access to the basement car park via a ramp. Two number vehicular entrances will be provided from Park Avenue to the south (one with ramp access to the basement car park). A further two number vehicular accesses are proposed from Ballyogan Road to the north. The proposed linear park is located on the northern part of the subject site, adjacent to the Ballyogan Stream, and has a total area of approximately 2.4 hectares. The development includes the provision of pedestrian and cycle crossings off the Ballyogan Stream. The proposed development also includes the provision of a neighbourhood square located on the western part of the subject site. The proposal includes all hard and soft landscaping works, ESB substations, rooftop and internal plant, all associated site development works, waste management facilities, services, lighting, boundary treatments, and all other ancillary works, all at The Park, Glenamuck Link Road (also known as Glenamuck Road), and Ballyogan Road, Carrickmines Great and Jamestown, Dublin.

## Decision

**REFUSE permission for the above proposed development for the reasons and considerations set out below.**

## Reasons and Considerations

The site is located in an area zoned objective E 'to provide for economic development and employment as set out in the Dun Laoghaire-Rathdown County Development Plan 2022-2028. It is considered that the proposed development would contravene the zoning objective as set out in the development plan as 'Residential – BTR', introduced as a new distinct use class in the Dun Laoghaire-Rathdown County Development Plan 2022-2028, is 'not permitted' within the E zone. Furthermore, it is considered that the proposed development would be contrary to Table 12.1 'Apartment Mix Requirements' of the Dun Laoghaire-Rathdown County Development Plan 2022-2028, and the Housing Strategy and Housing Need Demand Assessment (HNDA) 2022-2028, where the apartment mix requirements provide for a minimum of 40% for three-bed plus units. The proposed development would be contrary to the relevant provisions of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 and would, therefore, 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 *14<sup>th</sup>* day of *December*, 2023.