



Planning and Development Acts 2000 to 2021

Planning Authority: Fingal 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 8th day of April 2022 by CE Cladewell Estates Limited care of Stephen Little and Associates, Chartered Town Planners and Development Consultants of 26/27 Upper Pembroke Street, Dublin.

Proposed Development comprises of the following:

- (a) The proposed development on a site of approximately 2.83 hectares consists of 100 number residential units in a mix of houses, duplex, own door apartment and apartment buildings ranging in height from two to four storeys overall;
- (b) Comprising of 34 number two to three storey semi-detached, terraced and end of terrace houses (29 number three-bedroom houses and five number four-bedroom houses); four number three storey duplex and own door apartment blocks (24 number two-bedroom and 14 number three-bedroom); one number four storey apartment block (12 number one-bedroom and 16 number two-bedroom).
- (c) The proposed development also includes; one number childcare facility (circa 189.5 square metres) located at ground floor level of Duplex Block 1 and associated outdoor play space circa 142 square metres;

- (d) Public open space (circa 4,319 square metres); private open space (circa 2,637 square metres private rear gardens serving housing and circa 686 square metres balconies and terraces serving apartments and duplexes) and communal amenity open space (circa 479 square metres);
- (e) Public lighting and street lighting;
- (f) 151 number car parking spaces (four number creche spaces, 68 number house spaces, 79 number apartment and duplex spaces (66 number residential and 13 number visitor car parking spaces);
- (g) 120 number secure bicycle parking spaces (32 number residential apartment spaces, 48 number residential duplex and own door apartment spaces, four number creche spaces and 36 number visitor bicycle parking spaces);
- (h) Bicycle storage;
- (i) Bin storage;
- (j) One number Electricity Supply Board substation;
- (k) Provision of temporary foul sewage holding tank and lifting station;
- (l) Provision of internal road network, including new road carriageways, pedestrian facilities;
- (m) Primary vehicular access serving the proposed development is via a new access road off Back Road;
- (n) A new separate pedestrian and bicycle access serving the proposed development to the west of Lamorlaye off Back Road;
- (o) Demolition of out buildings/stables (circa 168 square metres) all associated and ancillary site development and infrastructural works including, laying a foul rising main along Back Road from the new access to the development to the junction of Back Road and Kinsealy Lane and 817 metres southwards along Kinsealy Lane as to connect to Castleway Pumping Station permitted under Fingal County Council Register Reference F21A/0451;
- (p) All ancillary hard and soft landscaping and boundary treatment works all located at the Townlands of Kinsealy, including part of the grounds of Lamorlaye, on Back Road, Malahide, County Dublin.

Decision

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

Reasons and Considerations

1. The proposed layout of the development and the provision of public open space is compromised by the piecemeal nature of the development. As a result of this compromised layout, the proposed areas of public open space are of poor quality, lack a central focal point for open space and would be of limited benefit to future occupiers of the development. The proposed public open spaces do not conform with open space standards as set out in Table 12.5, Objectives DMS66, DMS67 and DMS74 of the Fingal County Development Plan 2017-2023. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The layout as proposed results in the creation of a number of cul-de-sacs, with uncertainty as to the future resolution of same. The public realm is dominated by large areas of surface car parking. As such, the proposal is contrary to guidance as set out in the Guidelines for Sustainable Residential Developments in Urban Areas and the accompanying Urban Design Manual, A Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009, and would be contrary to Objectives PM31, DMS66 and DMS67 of the Fingal County Development Plan 2017-2023. The proposed development would be contrary to guidance as set out in the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March 2019, as amended. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Mick Long

Member of An Bord Pleanála

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



Dated this 28 day of March 2023