



---

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dún Laoghaire-Rathdown 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 21<sup>st</sup> day of July 2022 by McGarrell Reilly Homes Limited care of McCutcheon Halley Chartered Planning Consultants of Kreston House, Arron Court, Dublin.

**Proposed Development comprises of the following:**

1. The construction of one number apartment block ranging from three to six storeys in height (9,193 square metres gross floor area), comprising a total of 97 number units including 28 number one-bedroom and 69 number two-bedroom apartments, all with private amenity space;
2. Construction of 21 number two storey houses in semi-detached and terraced form (combined gross floor area of 2,624 square metres), including 10 number three-bedroom dwellings and 11 number four-bedroom dwellings, all with private amenity space;
3. Construction of a two storey childcare facility (156 square metres gross floor area), with associated outdoor play area, two number set-down car parking spaces and two number designated staff car-parking spaces;
4. Construction of a section of the Clay Farm Loop Road 137 metres in length (all on lands within the ownership of the applicant) and incorporating a six metres wide carriageway with two metres wide footpaths and two metres wide

- cycle tracks on each side, connecting with the existing section of the loop road constructed on lands to the south-east as part of the Clay Farm development;
5. Construction of local access roads to serve the development which will connect with the new section of the Clay Farm Loop Road;
  6. Provision of 4,002 square metres of public open space;
  7. Provision of 1,454 square metres of communal open space at podium level to serve residents of the apartment block;
  8. Provision of 153 number on-site car parking spaces incorporating 97 number under podium spaces for residents of the apartment building, 10 number visitor car parking spaces, 42 number in-curtilage car parking spaces for the housing units and four number car-parking spaces designated for the childcare facility;
  9. Provision of 248 number bicycle parking spaces including 170 number long-stay spaces, 56 number short-stay spaces and 22 number for use by the childcare facility;
  10. Four number motor-cycle parking spaces under podium level;
  11. Provision of four number new pedestrian and cyclist links to adjoining residential development in Stepside Park, one of which will also facilitate emergency vehicle access to Stepside Park and access to re-configured bin store for existing residents of The Courtyard;
  12. All ancillary site development works including plant, waste storage areas, landscaping, green roofs, boundary treatments, Sustainable Urban Drainage System measures, Electricity Supply Board substation, public lighting and solar photovoltaic panels all located in the townland of Kilgobbin, in Stepside, Dublin 18.



## Decision

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

## Reasons and Considerations

1. The proposed development entails the provision of 97 number apartment units with a unit mix split between 28 number one-bed apartments and 69 number two-bed apartments units. Table 12.1 of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 specifies that in areas classified as New Residential Communities as identified on the Core Strategy Map (Figure 2.9) within which the application site is located in, for developments of 50+ units (apartments) a minimum requirement is the provision of a minimum of 40% of 3+ bedroom units (apartments). The proposed unit mix does not comply with the requirement explicitly set out under Development Plan policy and the proposed development would constitute a material contravention of Development plan policy. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



2. The proposed development fails to provide all road users link between the Clay Farm Loop Road and Steapside Park, as shown in the Ballyogan and Environs Local Area Plan ('Link No. 4'). The proposal to provide a pedestrian and cycle link only would be contrary to conditions attached to extant planning permissions Register Reference Numbers D98A/1000 (PL06D.111521) and D13A/0190 (PL.06D.242585) regarding long-term access arrangements for Steapside Park. As such, it is considered that the proposed development would not be in accordance with relevant transport, access, movement and phasing policies of BELAP 2019-2025, including Policy BELAP MOV12 'New Linkages', and 'Figure 12.8: Site Development Framework-Kilgobbin', and would be contrary to the terms of the extant permissions. The proposed development would, therefore, not be in accordance with the proper planning and sustainable development of the area.



---

**Peter Mullan**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this *12<sup>th</sup>* day of *October*, 2023