



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 5th day of August 2022, by Grafton Issuer DAC care of John Spain Associates at 39 Fitzwilliam Place, Dublin.

Proposed Development comprises of the following:

Demolish existing outbuildings on site and provide for the construction of 167 number residential units, a childcare facility with a ground floor area of 188 square metres associated internal roads, pedestrian and bicycle paths, open space, and all associated site and infrastructural works.

The residential component of the development consists of 98 number apartments and 69 number houses, to be provided as follows:

- 30 number one-bedroom apartments;
- 47 number two-bedroom apartments;
- 21 number three-bedroom apartments;
- 43 number four-bedroom (Type A, A1 and D) houses;
- 26 number 3-bedroom (Type B, C and E) houses;

The 98 number apartments are to be provided within three number apartment buildings of five number storeys in height, each over basement level, with adjacent

surface car parking. The houses consist of two and three storey terraced, semi-detached and detached dwellings.

The proposal contains a total of 237 number car parking spaces, including 173 number at surface level and 64 number at basement level, 253 number bicycle parking spaces, including 34 number at surface level and 219 number secure spaces at ground floor level of the apartment buildings, and six number motorcycle parking spaces at basement level.

Vehicular access to the development is to be provided from Cairnbrook residential estate to the west, including associated works to facilitate same. A vehicular entrance is also proposed from Springfield Lane to access the house proposed on the northern part of the site. Pedestrian and bicycle links are proposed to Springfield Lane to the north and to link to the permitted development (Register Reference PC/H/01/19) at Rockville Drive and Glenamuck Cottages to the south.

Bin stores, plant rooms and block cores are located at basement and ground floor level of the apartment buildings. The proposed development includes private amenity space, consisting of balconies or terraces for all apartments and private gardens for the houses, public and communal open space, including children's play areas and an ancillary play area for the childcare facility, photovoltaic panels and green roofs at roof level of the apartment buildings, public lighting, utilities infrastructure and an Electricity Supply Board substation.

The proposal includes all associated site and infrastructural works, including tie-ins to existing infrastructure in the Cairnbrook residential estate, foul and surface water drainage, attenuation tanks, hard and soft landscaping, boundary treatments, internal roads, bicycle paths and footpaths. The site is located to the immediate east of Cairnbrook residential estate, south and west of Springfield Lane, and north of Rockville Drive and Glenamuck Cottages all located at Carrickmines Great, Glenamuck Road South, Dublin 18.

pm

Decision

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

Reasons and Considerations

1. The proposed unit mix fails to comply with Table 12.1 of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 and would be contrary to Policy Objective PHP27 of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. It is considered that the design and layout of the proposed development is contrary to Policy Objective PHP35: Healthy Placemaking of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 having regard to the following:
 - (a) The necessity to increase connectivity falls short in terms of the qualitative provision within the scheme and the lack of appropriate pedestrian or bicycle connectivity to the wider area over Springfield Lane to the north and lands to the south fails to adhere to the requirements of 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. Whilst not actively engaging with the adjoining Cairnbrook residential lands results in development that conflicts with the established road hierarchy resulting in potential hazardous access arrangements and would fail to create a sense of place. In the absence of the incorporation of the recommendation of the Safety Audit into the scheme as a result it is considered that the development would endanger public safety and traffic safety. Furthermore, the proposed development is overly car dependant and is considered premature because of the lack of adequate, safe pedestrian facilities on Glenamuck Road.

- (b) The alignment of the apartment blocks significantly impacts the quality layout of the scheme resulting in undue overshadowing and perceived sense of overlooking by virtue of proximity to house Numbers 35 to 37. Furthermore, the separation distance between Blocks 01 and 02 provides limited outlook for the bedroom windows between the blocks, as a result, it is considered that the development is not in accordance with section 3.2 of the Urban Development and Building Heights Guidelines for Planning Authorities, issued by the Department of Housing, Planning and Local Government in December 2018 as they relate to minimising overshadowing and loss of light and the resulting impact quality placemaking standards.
- (c) The layout does not appropriately reflect the adjoining permitted development by the local authority under the provisions of Part 8 of the Planning and Development Regulations 2001, as amended, in particular, the boundary treatment along the shared eastern site boundary and the juxtaposition of 19B and 18B as they relate to the permitted Part 8 housing development. On the basis of the evidence submitted the Board cannot be satisfied that the development will not impact negatively on the ability to complete the Part 8 consent or the proposed development.

It is considered that the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. It is considered that the proposed development is contrary to Policy Objective GIB18: Protection of Natural Heritage and the Environment of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 where it is a stated Policy Objective “to protect and conserve the environment including, in particular, the natural heritage of the County and to conserve and manage Nationally and Internationally important and EU designated sites - such as Special Protection Areas, Special Areas of Conservations, proposed Natural Heritage Areas and Ramsar sites (wetlands) - as well as non-designated areas of high nature conservation value known as locally important areas which also serve as ‘Stepping Stones’ for the purposes of Article 10 of the Habitats Directive”. The development plan states that the implementation of this policy objective involves inter alia identification and protection of non-

designated sites of local and high nature conservation value, and the management of features of the landscape which are of major importance for wild fauna and flora in accordance with Article 10 of the Habitats Directive.

On the basis of the evidence submitted, the Board cannot be satisfied that the proposed development will not result in adverse impacts on important habitats with affinity to Annex 1 habitats and wetland and grassland habitats with affinity to Annex 1 habitat and as such is contrary to Policy Objective GIB18: Protection of Natural Heritage and the Environment of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 and the proper planning and sustainable development of the area.

Peter Mullan



Peter Mullan

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this *31st* day of *August*, 2023