



An  
Bord  
Pleanála

## Board Order ABP-316316-23

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F23A/0024**

**Appeal** by Milium Ventures Limited care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 21<sup>st</sup> day of March, 2023 by Fingal County Council to refuse permission.

**Proposed Development:** Demolition of existing single storey derelict cottage (circa 59 square metres) and associated outbuilding located within the eastern portion of the site, construction of a residential development consisting of 37 number residential units, including eight number terraced two-storey dormer, three-bedroom dwellings with attic accommodation (three-storey) and one number two-storey, two-bedroom dwelling. Each dwelling is provided with two number on curtilage car parking spaces and private amenity space in the form of rear private gardens, four number three-storey duplex blocks (Block C, D, E and F) comprising a total of 28 number units. Blocks C and F each comprise four number two-bedroom units at ground floor level and four number three-bedroom units at first and second floor levels. Blocks D and E each comprise three number two-bedroom units at ground floor level and three number three-bedroom units at first and second floor levels. Each unit comprised within blocks C, D, E and F will be served by private amenity space in the form of balconies at first floor level and terraces at ground floor level. A total of 30 number car parking spaces, including one number go-car car share space

and one number accessible parking space are proposed at surface level to serve the proposed duplex blocks, together with two number bicycle stores comprising a total of 86 number cycle parking spaces. Provision of a large area of landscaped open space. Provision of a new vehicular access off Old Road to the north, a new pedestrian access to Whitestown Road to the south, and public footpaths and shared surfaces. Drainage works, including the provision of a new foul pump station on site. Landscaping and boundary treatments, open space, foul and surface water drainage, bin stores, lighting, infrastructural works and all associated ancillary works necessary to facilitate the proposed development, all on a 0.7918-hectare site located to the north of Whitestown Road and to the south of Old Road, Rush, County Dublin.

## **Decision**

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

## **Reasons and Considerations**

1. Having regard to the objectives of the Fingal County Development Plan 2023-2029 which in respect of residential development seeks to ensure high quality design and integration with the character of the surrounding area, and having regard to the location of the proposed development on a prominent site at the main entrance point to Rush from the west, it is considered that, by reason of the siting, orientation and design of the proposed duplex blocks and the proposed treatment of the southern site boundary, the proposed development, either in its submitted or amended form, would result in an inactive streetscape along Whitestown Road, would militate against an attractive pedestrian environment, would be of insufficient architectural quality on a prominent site and would seriously injure the visual amenities of the area. The proposed development would conflict with the objectives of the development plan and

would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the zoning of the site as set out in the Fingal County Development Plan 2023-2029, the objective of which is to provide for residential development and protect and improve residential amenity, and Policy SPQHP35 which in respect of 'Quality of Residential Development' seeks, inter alia, to ensure high-quality living environments for all residents in terms of the standard of individual dwelling units and the overall layout and appearance of developments, it is considered that, by reason of its inadequate qualitative provision of public and private open space, the lack of dedicated communal open space, the failure to maximise daylight provision for apartments, the internal layout which is dominated by hard surfaced areas and inadequate parking provision, the proposed development would fail to provide an adequate level of residential amenity for future occupants. The proposed development would conflict with the zoning objective and the policies of the development plan and would, therefore, be contrary to the proper planning and sustainable development of the area.



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**Joe Boland**

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

Dated this 11<sup>TH</sup> day of July 2024.