



An
Bord
Pleanála

Board Order ABP-317274-23

Planning and Development Acts 2000 to 2022

Planning Authority: Dun Laoghaire-Rathdown County Council

Planning Register Reference Number: LRD23a/0170

Appeal by Visdon Limited care of McGill Planning of 22 Wicklow Street, Dublin against the decision made on the 10th day of May, 2023 by Dun Laoghaire-Rathdown County Council to refuse permission for the proposed development.

Proposed Development: Construction of a large-scale residential development consisting of demolition of an existing dwelling, and construction of 108 number apartments (comprising 32 number one-bed, 53 number two-bed and 23 number three-bed units) within three number blocks, ranging in height up to six storeys.

- Block 1 will range in height from four to five storeys and will provide 36 number apartments.
- Block 2 will range in height from five to six storeys and will provide 44 number apartments.
- Block 3 will range in height from three to five storeys and will provide 28 number apartments.

All residential units will have associated private balconies/terraces to the north/south/east/west elevations.

The development will also include the provision of a creche (circa 252 square metres gross floor area) located on the ground floor of Block 3, 132 number car parking spaces, 148 number cycle parking spaces and four number motorcycle spaces,

located at undercroft and surface level. Vehicular/pedestrian/cyclist access will be provided via Love Lane along with a new pedestrian access. The development will also include the provision of an acoustic barrier along the western boundary of the site.

All associated site development works, site reprofiling, water services, open spaces, landscaping, SuDs features, boundary treatments, plant areas, waste management areas/bin stores, car/cycle parking areas (including EV parking), and services provision (including ESB substations) will also be provided; all at this site of circa 1.35 hectares at Love Lane (also known as Blind Lane), Upper Dargle Road, Bray, County Dublin. The site is located south and west of residential developments at Hazelwood, Ard Chualann and Diamond Valley Apartments, and east of the M11/N11.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

Section 12.3.3.2 (Residential Density) of the Dún Laoghaire-Rathdown County Development Plan, 2022-2028 states that in general, the number of dwellings (houses or apartments) to be provided on a site should be determined with reference to the following Government Guidelines documents:-

- Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in May, 2009 (amended December, 2020), and
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities issued by the Department of Housing, Local

Government and Heritage in December, 2020: (**Note:** The Board noted that these guidelines were subsequently amended in December 2022 and July 2023).

In accordance with Section 2.4(3) of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020), as amended in December 2022 and July 2023, the site is located in an area identified as one that is "peripheral and/or less accessible urban location" given the sites location and accessibility criteria and where the recommended density is less than 45 dwellings per hectare net. Given the location of the site on the peripheral edge of Bray and the walking distances required to access the town centre, high frequency public transport stop (DART or LUAS), high frequency urban bus services and reasonably frequent urban bus services, the net density proposed on the appeal site (83 units per hectare as presented with the application or 69 units per hectare as presented with the appeal) is considered excessive by reference to the applicable Ministerial Guidelines that are referenced in the Dun Laoghaire-Rath down County Development Plan, 2022-2028. Accordingly, the proposed development would be contrary to the Ministerial Guidelines, to the provisions of the Development Plan and to the proper planning and sustainable development of the area.



Member of An Bord Pleanála

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

Dated this 19 day of September 2023