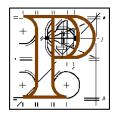
An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

South Dublin County

Planning Register Reference Number: SD15A/0388

An Bord Pleanála Reference Number: 06S.LV.3304

APPLICATION FOR LEAVE TO APPEAL against the decision of the planning authority by Sean Keller and Kevin McGinley care of 7 Saggart Lakes, Saggart, County Dublin, having an interest in land adjoining the land in respect of which South Dublin Council decided on the 15th day of July, 2016 to grant subject to conditions a permission to Kelland Homes Limited and Durkin Estates Limited care of Delphi Design Limited of Unit 3, The Seapoint Building, 44-45 Clontarf Road, Dublin.

PROPOSED DEVELOPMENT: Residential development consisting of 218 three and four bed two-storey houses and a creche (246 square metres) to be built on a site of circa of 8.16 hectares which will form Phase 1 of development of the Boherboy Neighbourhood within the Fortunestown Local Area Plan (2012). The proposed development consists of two adjoining sites to be developed by (a) Kelland Homes Limited for 111 number dwellings on the eastern side, bounded by the Corbally Stream and (b) by Durkan Estates Ireland Limited for 107 number dwellings and a creche on the western side, and in total provides for 17 four bed detached houses, 41 four bed semi-detached houses, 144 three bed semi-detached houses and 16 three bed terraced houses. The adjoining lands to the north are in the same ownership and form the remainder of the Boherboy Neighbourhood to be developed in the future with the Boherboy Road bounding the site to the south. Access to the development will be via two vehicular access points from the Boherboy Road along with the provision of a roadside footpath at the Boherboy Road. The proposed development also includes for all associated site development works, public open spaces, including alongside the Corbally Stream, landscaping and provision of a

pedestrian link to the District Park to the north east. Surface water will be attenuated within the site, with outfall to existing watercourses, with foul sewer and connected to a proposed new pumping station located at the northern end of the site, on an overall site area of 17.48 hectares at Boherboy, Saggart, County Dublin.

DECISION

REFUSE leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has not been shown that the development in respect of which a decision to grant permission has been made will differ materially from the development as set out in the application for permission by reason of conditions imposed by the planning authority to which the grant is subject.

Member of An Bord Pleanála duly authorised to authenticate

the seal of the Board.

Dated this day of 2016.

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