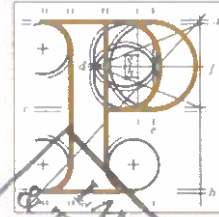


**Our Case Number:** ABP-318476-23

**Planning Authority Reference Number:** SD22A/0412



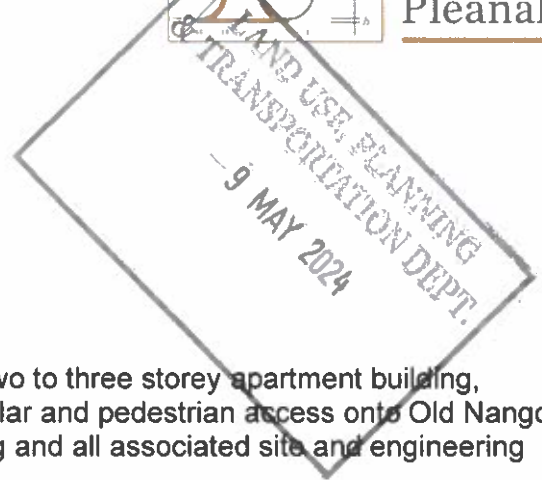
**An  
Bord  
Pleanála**

South Dublin County Council  
Planning Department  
County Hall  
Tallaght  
Dublin 24

**Date:** 08 MAY 2024

**Re:** Social housing development of 10 one bed units in a two to three storey apartment building, associated car parking and bicycle parking, new vehicular and pedestrian access onto Old Nangor Road, landscaping, boundary treatments, public lighting and all associated site and engineering works.

Lands at Old Nangor Road, Clondalkin, Dublin 22



Dear Sir / Madam,

An order has been made by An Bord Pleanála determining the above-mentioned matter under the Planning and Development Acts 2000 to 2022. A copy of the order is enclosed.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to any matter falling to be determined by it, within 3 days following the making of its decision. The documents referred to shall be made available for a period of 5 years, beginning on the day that they are required to be made available. In addition, the Board will also make available the Inspector's Report, the Board Direction and Board Order in respect of the matter on the Board's website ([www.pleanala.ie](http://www.pleanala.ie)). This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

The Public Access Service for the purpose of inspection/purchase of file documentation is available on weekdays from 9.15am to 5.30pm (including lunchtime) except on public holidays and other days on which the office of the Board is closed.

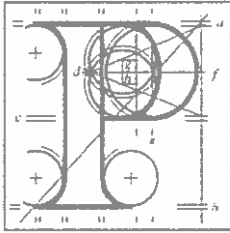
Yours faithfully,

Kieran Somers  
Executive Officer

BP100N

Tel	Tel	(01) 858 8100
Gíao Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	<a href="http://www.pleanala.ie">www.pleanala.ie</a>
Ríomhphost	Email	<a href="mailto:bord@pleanala.ie">bord@pleanala.ie</a>

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902



An  
Bord  
Pleanála

## Board Order ABP-318476-23

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD22A/0412**

**Appeal** by Dublin Simon Community care of Downey Chartered Town Planners of 29 Merrion Square, Dublin against the decision made on the 23<sup>rd</sup> day of October, 2023 by South Dublin County Council to refuse permission.

**Proposed Development:** Social housing development consisting of 10 one-bed units in a two- to three-storey apartment building, associated car parking and bicycle parking, bin store, water pump house, new vehicular access onto Old Nangor Road, new pedestrian access onto Old Nangor Road, landscaping, boundary treatments, public lighting and all associated site and engineering works, all on lands at Old Nangor Road, Clondalkin, Dublin.

### Decision

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

## Reasons and Considerations

The proposal to build over an existing culvert and the absence of a set-back would contravene Policy IE3 Objective 2 of the South Dublin County Development Plan 2022-2028, would be prejudicial to public health, and would give rise to a risk of localised flooding as a result of blockage and inadequate maintenance access. Furthermore, the replacement of the existing culvert with three concrete pipes would exacerbate the risk of blockage and localised flooding which would be contrary to the proper planning and sustainable development of the area and would contravene the South Dublin County Development Plan 2022-2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board noted that the planning authority's reason for refusal was primarily the risk of localised flooding because of blockage and inadequate maintenance access to the proposed culvert; this the planning authority concluded would be prejudicial to public health.

The planning authority's reason for refusal references the South Dublin County Development Plan Policy IE3 Objective 2. This objective is "to maintain and enhance surface water drainage systems in the County", this objective goes on to reference Section 4.2.2 of the development plan which includes Policy GI3 (Sustainable Water Management). The Board noted the detail submitted at appeal stage but concluded that the applicant had not demonstrated that the issues raised by the planning authority had been addressed. The Board did not concur with the Inspector that, on balance, having regard to the constraints of the site and other policies in the development plan regarding regeneration, the proposed site layout is appropriate, specifically the proposed building over the culvert. The Board concluded that an alternative design and layout that is not prejudicial to public health and which maintains and enhances the surface water drainage system should be explored. The development, as proposed, does not accord with the proper planning and sustainable development of the area.



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**Mary Henchy**

**Member of An Bord Pleanála**

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

Dated this 8<sup>th</sup> day of May 2024.

