



An  
Bord  
Pleanála

**Board Direction**  
**BD-017507-24**  
**ABP-319440-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/09/2024.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

### **Reasons and Considerations**

1. Having regard to the grounds of appeal, the observations of third parties, the reasons for refusal, the residential zoning objective, which seeks to provide for residential development and protect and improve residential amenity, and the policy framework provided by the Fingal County Development Plan 2023-2029, including Section 14.10. (Additional Residential Accommodation in Built-up Areas), the Board considered that the change of use from the permitted ancillary use to that of a defacto separate residential unit and the amended roof profile to pitched from the permitted flat roof" and that therefore the proposed development and the development to be retained would be inconsistent with Section 14.10.4 (Garden Rooms) Fingal County Development Plan 2023-2029, providing for ancillary accommodation incidental to the main dwelling house, which introduces a third building line between the established building lines on Dunsoghly Avenue and Dunsoghly Close, resulting in overbearing impacts on the adjoining properties at nos.16, 18 & 20 Dunsoghly and on the main dwelling house itself, representing a congested form of development in a backland location without independent road frontage, would have a significant adverse impact on neighbouring residential properties and, as such, would be inconsistent with the proper planning and sustainable development of the area.

2. That the subject development given its overbearing roof height and design would contravene materially a condition attached to an existing permission for development i.e. Condition no 1, F18B/0121 and therefore the development would be contrary to the proper planning and sustainable development of the area.

3. The provision of residential accommodation at this location is considered to be haphazard, back-land development, which would impact unduly upon surrounding residential amenity and set an undesirable precedent for similar type development in the area, and as such would be contrary to the proper planning and sustainable development of the area.

**Board Member**



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Liam Bergin

**Date:** 19/09/2024