

## Board Order PL 06F.248478

Planning and Development Acts 2000 to 2017

**Planning Authority: Fingal County Council** 

Planning Register Reference Number: F16A/0444.

**Appeal** by Keith and Maeve Fogarty of 16B Binn Eadair View, Sutton, Dublin and by Adele Sleator and Stephen and Bernadette Kerr care of 16A Binn Eadair View, Sutton, Dublin against the decision made on the 19<sup>th</sup> day of April, 2017 by Fingal County Council to grant subject to conditions a permission to Wingview Limited care of James Ahern Architects of 29 Belgrove Road, Clontarf, Dublin.

Proposed Development: (1) The demolition of an existing derelict warehouse building (856 square metres) ad 1.8 metres high boundary wall at the southern site boundary, (2) the construction of six number houses in total, comprising four number two-storey three bedroom semi detached units (house type 1, 110 square metres), one number single storey three bedroom detached unit (house type 2, 92 square metres) and one number single storey two bedroom detached unit (house type 3, 102 square metres), (3) a new vehicular entrance on the southern boundary off the existing public laneway and (4) associated site development works to include traffic calming ramps on the public laneway from the Baldoyle road to the site entrance, new drainage connections to the public sewer network on Baldoyle Road, surface water attenuation within the site, and new boundary treatments and landscaping works, all at lands to the rear of premises numbered 31-34 Baldoyle Road and "Elphin" licensed premises, Baldoyle Road, Sutton, Dublin.

## **Decision**

REFUSE permission for the above proposed development in accordance with 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 objective of the planning authority, as set out in the Fingal County Development Plan 2017-2023, to protect and improve residential amenity, and to the scale and form of the proposed development, in particular, the proposed level and proximity of the ground floor accommodation and associated patio areas relative to adjoining development, it is considered that the proposed development would result in serious overlooking of adjoining property and substantially detract from its residential amenity. The proposed development would, therefore, would seriously injure the amenities of the area and be contrary 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 day of

2017

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