

Board Order PL 06F.248833

Planning and Development Acts 2000 to 2017 Planning Authority: Fingal County Council Planning Register Reference Number: FW17A/0065

Appeal by Sharon and Richard Duffy of Five Lamps, The Grange, Cappagh, Dublin against the decision made on the 14th day of June, 2017 by Fingal County Council to refuse permission.

Proposed Development: Retention of change of use from domestic garage to one bedroomed residential unit with attic storeroom with revised entrances to site and all associated site and drainage works at Five Lamps, Grange, Cappagh Road, Finglas, 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

- 1. Having regard to the 'GE' zoning of the site, the objective of which is to provide opportunities for general enterprise and employment, and under which residential use is not permitted, except where a person who is an immediate member of a family in the immediate area who has not been granted permission for a dwelling previously, and is considered to have a need to reside adjacent to the family home by reason of that person's exceptional health circumstances, and having regard to the location of the site adjoining an industrial estate, it is considered that the development proposed to be retained would materially contravene the said zoning objective and would be contrary to the proper planning and sustainable development of the area.
- 2. It is considered that the development proposed to be retained, by reason of its inadequate gross floor area, would contravene Objective DMS24 of the Fingal Development Plan 2017-2023, would constitute a substandard form of residential development, and would set an undesirable precedent for further such development in the area. The development proposed to be retained would, therefore, 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