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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F17A/0734**

**APPEAL** by LCD Developments Limited care of Hughes Planning and Development Consultants of The Mash House, Distillery Road, Dublin against the decision made on the 6<sup>th</sup> day of February, 2018 by Fingal County Council to refuse permission.

**Proposed Development:** (i) Demolition of existing single storey detached dwelling, four number sheds/ancillary residential storage buildings and glass house, (ii) construction of replacement detached dormer dwelling with private open space and two number on-curtilage car parking spaces on footprint of Saint Anthony's facing the Dublin Road, (iii) construction of five number two-storey, three bedroom contemporary dwellings to rear(east) of site, (iv) removal of existing southern vehicular entrance and improvement and upgrade of existing northern vehicular entrance, (v) provision of access laneway and pedestrian footpath via upgraded northern vehicular entrance to serve replacement dwelling and five number new dwellings to rear (east) of site and provision of turning bay and pedestrian circulation zone, (vi) provision of 10 number parking spaces and 10 number bicycle parking spaces to serve five number proposed dwellings to rear (east) if site, (vii) provision of private amenity space for each dwelling and (viii) associated boundary treatment, landscaping, SUDS drainage and all other ancillary development works

necessary to facilitate the development. All at Saint Anthony's, 51 Dublin Road, Swords, County 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. The proposed development, by reason of the established character and pattern of development in the area, the proposed means of access, its piecemeal and haphazard form including building heights, would materially contravene Objectives DMS39 and DMS44 of the Fingal Development Plan 2017-2023. These objectives seek to ensure that new infill development shall respect the height and massing of existing residential units and to protect areas with a unique, identified residential character which provides a sense of place to an area through design, character, density and/or height and ensure that any new development in such areas respects this distinctive character. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the design and layout including the provision of a long access road to the rear of the site and the lack of any usable public open space to serve the future residents of the estate, it is considered that the scale and nature of the proposed development would constitute piecemeal backland development which would seriously injure the amenities of the area, would result in substandard residential amenity for future occupants, would represent overdevelopment and a cramped form of development and would set an undesirable precedent for further such uncoordinated backland development in the rear gardens of these properties. The proposed development would, therefore, be contrary to the provisions of the Fingal County Development Plan 2017-2023 and would be contrary to the proper planning and sustainable development of the area.

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**Michelle Fagan**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2018.**