



Planning and Development Acts 2000 to 2018

Planning Authority: Fingal County Council

Planning Register Reference Number: F18A/0576

APPEAL by Maeve McGann care of Gavin Byrne Architect of 2 Drummartin Road, Goatstown, Dublin against the decision made on the 7th day of December, 2018 by Fingal County Council to refuse permission to the said Maeve McGann.

Proposed Development (i) The provision of one new hard-landscaped vehicular car-parking space in the rear garden of Number 101A; (ii) the provision of a new sliding vehicular gate in the side wall of the rear garden of Number 101A to allow access to the proposed new car-parking space from Downside Park; (iii) the provision of a new section of rear garden boundary wall in place of a previously approved pedestrian gate into the rear garden from Downside Park; and (iv) associated siteworks and landscaping to the rear garden to facilitate the proposed development. 101A Downside Park is a three-bedroom detached single dwelling currently under construction. Number 101A occupies a corner site on Downside Park, all at 101A Downside Park, Skerries, 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. Having regard to the location of the site in proximity to a T-junction within the Downside Park residential estate, it is considered that the proposed development would give rise to additional traffic turning movements in proximity to this junction as well as directly onto the adjoining public footpath, would result in conflict between road users and would endanger public safety by reason of traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the planning history of the site, in particular, the quantum of accommodation on the site and the use of the rear part of the site as private open space serving the overall development as

granted under planning register reference number F16A/0400, it is considered that the proposed development would seriously injure the residential amenity of existing residents by reason of loss of private open space in a manner that would conflict with the 'RS' zoning objective which seeks to provide for residential development and protect and improve residential amenity. It is further considered that the proposed development, if permitted, would result in an inadequate qualitative and quantitative provision of private open space in a manner that would conflict with the provisions, as set out under Objective DMS87 of the Fingal Development Plan, 2017 to 2023. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Maria FitzGerald

Member of An Bord Pleanála

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

Dated this day of 2019.