



Planning and Development Acts 2000 to 2019

Planning Authority: Fingal County Council

Planning Register Reference Number: F19A/0376

APPEAL by Alan Kelly of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 9th day of October, 2019 by Fingal County Council to refuse permission.

Proposed Development: Amendments to previously approved application under planning register reference number F18A/0162 on a site to front of Boreen House, including (i) sub-division of the previously granted one number dwelling into two number dwellings comprising three number bedrooms each; (ii) amendments to front and rear elevations to introduce a new front door and revised window to rear; (iii) alterations to front landscaped area to provide an additional two number car parking spaces; (iv) sub-division of previously approved rear garden to provide private garden to each dwelling with new 1.8 metres height boundary wall between the two properties; (v) relocation of the rooflights; and (vi) other works as part of the development include landscaping, boundary treatments and all associated works necessary to facilitate the development, all on a site to the front of Boreen House, Thormanby Road, Howth, 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 pattern of development in the immediate adjoining area which consists of established large single two-storey and dormer detached houses with landscaped front gardens. The proposed development of two semi-detached dwellings would be out of character and inconsistent with the pattern of development in the immediate area and would, therefore, contravene Objectives DMS39 and PM44 of the Fingal Development Plan 2017-2023.

2. The Board is not satisfied that the developer has demonstrated that they can provide for the required in-curtilage parking provision in line with Table 12.8 of the Fingal Development Plan 2017-2023 in addition to providing for sufficient turning space which allows all vehicles to leave the site in a forward movement. The proposed development would be contrary to 'Car Parking Standards' as set out in the current Development Plan, would endanger public safety by reason of traffic hazard and would lead to conflict between road users and pedestrians, and would be contrary to the proper planning and sustainable development of the area.

3. The subject site is zoned objective 'RS' – 'to provide for residential development and to protect and improve residential amenity' as set out in the Fingal Development Plan 2017-2013. The proposed dwelling, particularly dwelling B, would give rise to significant negative impact upon the residential amenities of any future potential residents in terms of the provision of timber louvers on the rear elevation of windows serving habitable accommodation and on the residents of Boreen House in terms of overlooking. Furthermore, the developer has failed to comply with all floor areas associated with the proposed new dwellings, that is, provision of acceptable storage areas. The proposed development offers a substandard form of residential amenity and would, therefore, be contrary to the proper planning and sustainable development.

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

Dated this day of 2020