



Planning and Development Acts 2000 to 2019

Planning Authority: Fingal County Council

Planning Register Reference Number: F19A/0507

APPEAL by Sharon Byrne care of Vincent JP Farry and Company Limited of Suite 180, 28 South Frederick Street, Dublin against the decision made on the 11th day of December, 2019 by Fingal County Council to refuse permission for the proposed development.

Proposed Development: Retention of a prefabricated dwelling and garden to the rear of the site, the future erection of a 3 square metre porch to the side of the building (so that the resulting structure would contain 73 square metres) and for future internal modifications to the house comprising the repositioning of its internal walls so as to reduce its sleeping capacity from four (existing) bedrooms to three bedrooms, along with the provision of internal storage spaces. Under this application, the existing combined kitchen/living/lounge area within the existing building would remain, along with bathroom accommodation, all at 14 Chapel Street, Balbriggan, 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. It is considered that the development for which retention permission is sought and the proposed development, a detached prefabricated structure used as a dwelling, by reason of its length, scale, inadequate open space and siting to the rear of a commercial premises, and its internal form and layout entailing a lack of fenestration and outlook from the living room, dining room and the main bedroom space within the structure, would constitute overdevelopment of the site and piecemeal development that would be at variance with the predominant pattern of development in the area and would constitute a substandard residential amenity for the occupants of the structure. The development for which retention permission is sought and the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The development for which retention permission is sought and the proposed development is not served by an individual or independent access, with only pedestrian access being provided through an existing commercial property and would not allow for any access for emergency services. This access arrangement would represent a significant dis-amenity to the occupants, both of the host property and of the prefabricated structure for which retention permission and permission for proposed development is sought. The development for which retention permission is sought and the proposed development would seriously injure the amenities of the occupants due to the lack on an independent access, and would, therefore, be contrary to the proper planning and sustainable development of the area.

Chris McGarry
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2020.