



Planning and Development Acts 2000 to 2019

Planning Authority: Fingal County Council

Planning Register Reference Number: F19A/0528

APPEAL by Eamon Morris and Joseph Pardy care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 2nd day of January, 2020 by Fingal County Council to refuse permission.

Proposed Development: (i) Construction of a two-storey, with single storey element to rear, flat-roofed building to accommodate one number one-bedroom apartment and one number two-bedroom apartment at ground floor level (each served by private garden to rear) and one number three-bedroom apartment at first floor level (served by two number balconies located on the north-west and south-west elevations); (ii) Provision of new shared vehicular and pedestrian accesses off Barnwall Court, four number car parking spaces and four number cycle parking spaces; and (iii) Landscaping, boundary treatment, SUDS water drainage and all ancillary works necessary to facilitate the development, all at site to the rear of numbers 3-4 Castleview, 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. The subject site is within the RS zoning objective under the Fingal Development Plan, 2017-2023, the objective of which is to provide for residential development and improve residential amenity. The proposed development, by virtue of the overlooking which would occur within the scheme, the substandard provision of dedicated storage, the location/provision of bin storage within the site, and the provision of opaque glazing serving bedroom accommodation, would constitute overdevelopment of the site, would provide an unacceptable level of amenity for residents and contravene materially the zoning objective for the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development is contrary to the standards for apartment development set out in the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2018 (Department of Environment, Community and Local Government), would provide an unacceptable level of amenity for future residents and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. It is considered that the proposed development would endanger public safety by reason of traffic hazard because of the traffic turning movements the proposed development would generate on a substandard road at a point where sightlines are severely restricted, and because of the conflicting movements which would occur within the site due to the confined nature of the site and the poor site layout.

Maria FitzGerald

Member of An Bord Pleanála

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

Dated this day of 2020.