

Planning and Development Acts 2000 to 2021

Planning Authority: Fingal County Council

Planning Register Reference Number: FW22A/0026

APPEAL by Mykola Zahorskyy and Larysa Zahorska care of Plantech Design Limited of 721 North West Business Park, Ballycoolen, Dublin against the decision made on the 4th day of April, 2022 by Fingal County Council to refuse permission for the proposed development.

Proposed Development: Subdivision of the existing site for provision of a new two-storey four-bedroom dwelling to be located to the side garden of the existing dwelling. Demolition of existing shed in the back garden. Removal of the existing timber fence in the side garden. Modifications to the existing side boundary wall for the provision of a bin storage zone. Construction of a new garden room to the rear garden of the proposed new dwelling for use as a home office/gym, WC and storage shed. Proposed vehicular access to serve the new dwelling exiting onto Castlefield Park. Proposed new boundary treatments to front and rear gardens, dividing the existing and proposed dwellings. All structural, drainage, service connections and associated site works to be implemented, all at 8 Castlefield Park, Clonsilla, Dublin.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

pm

Reasons and Considerations

1. The proposed development, by reason of its proximity to existing Irish Water assets, would compromise the functioning of such assets, would be prejudicial to public health and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Notwithstanding that development of underutilised infill, corner and backland sites in existing residential areas are encouraged, as expressed through Objective OM44 of the Fingal Development Plan 2017-2023, the design response presented is not sympathetic to the character of the area at this location by virtue of the ridge height elevated above the existing established houses, and the abrupt interruption in the established rhythm of hipped roofs in the row in what is presented as a traditional house design response. The design is considered to be contrary to objective PM45 of the Fingal Development Plan 2017-2023 which seeks to promote the use of contemporary and innovative design solutions subject to the design and respecting the character and architectural heritage of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

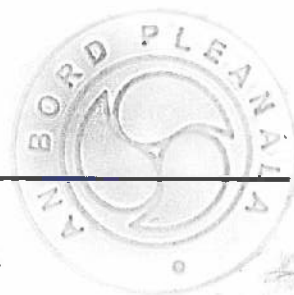


Peter Mullan

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this *10th* day of *March*, 2023.