



An
Bord
Pleanála

Board Order
ABP-318044-23

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F23A/0432

APPEAL by Evan Millerick care of Paul Sheehy of 4 Maywood Crescent, Raheny, Dublin against the decision made on the 4th day of September, 2023 by Fingal County Council to refuse permission for the proposed development.

Proposed Development: Construction of a detached two-storey dwelling, including all associated site works, landscaping and SuDs drainage details, new pedestrian access and gate to the side boundary wall serving the proposed new dwelling, all at a site to the side of 28 Birchdale Road, Kinsealy, County Dublin.

Decision

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

Reasons and Considerations

The proposed development would remove the existing driveway and impede safe access to the neighbouring house at number 28 Birchdale Road. This would seriously injure the amenities of the neighbouring dwelling and would, therefore, contravene the 'RS' land use zoning objective for the site as set out in the Fingal County Development Plan 2022-2028 which seeks to 'provide for residential development and protect and improve residential amenity'. The proposed development would impact upon the amenity of the adjacent property by removing its vehicular access 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 *14th* day of *June*, 2024.