

An
Bord
Pleanála

Board Order
ABP-319440-24

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: FW24A/0019

Appeal by Paul Sweeney of 31 Dunsoghly Avenue, Finglas, Dublin against the decision made on the 5th day of March, 2024 by Fingal County Council to refuse permission.

Proposed Development: Construction of a single storey flat roof link extension between the main house and the existing outbuilding in rear garden and retention permission of single storey pitched roof, all at 31 Dunsoghly Avenue, Finglas, Dublin.


Decision

REFUSE permission for the above development for the reasons and considerations set out below.

Reasons and Considerations

1. Having regard to the residential zoning objective, which seeks to provide for residential development and protect and improve residential amenity, and the policy framework provided by the Fingal County Development Plan 2023-2029, including Section 14.10. (Additional Accommodation in Built-up Areas), it is considered that the proposed change of use from the permitted ancillary use to that of a de facto separate residential unit, and the amended roof profile to pitched from the permitted flat roof would be inconsistent with Section 14.10.4 (Garden Rooms) of the Fingal County Development Plan 2023-2029, providing for ancillary accommodation incidental to the main dwelling house, which introduces a third building line between the established building lines on Dunsoghly Avenue and Dunsoghly Close, would result in overbearing impacts on the adjoining properties at numbers 16, 18 and 20 and on the main dwellinghouse itself, and would represent a congested form of development in a backland location without independent road frontage. The proposed development and development proposed to be retained would have a significant adverse impact on neighbouring residential properties and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. It is considered that, by reason of its overbearing roof height and design, the proposed development and development proposed to be retained would contravene materially a condition attached to an existing permission for development (condition number 1 of planning register reference number F18B/0121), and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. It is considered that the provision of residential accommodation at this location would constitute haphazard, back-land development which would impact unduly on surrounding residential amenity and would set an undesirable precedent for similar type development in the area. The proposed development and development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.



Liam Bergin
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 24th day of September 2024.