



An
Bord
Pleanála

Board Order
ABP-320760-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3911/24

APPEAL by Kieron Walsh and Alicia O'Keeffe care of O'Dea and Moore Architects of 9 Castlewood Park, Rathmines, Dublin against the decision made on the 16th day of August 2024, by Dublin City Council to refuse permission.

Proposed Development: Change of use of existing (single-storey) light industrial building to a one-bedroomed dwelling and retention for previous minor layout and elevational changes, including provision of open landscaped courtyard within original footprint, all at 39 Fortescue Lane to the rear of 39 Mountpleasant Avenue Lower, Dublin (a protected structure).

Decision

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

P.C.

Reasons and Considerations

Having regard to the existing pattern of development on Fortescue Lane, to the limited capacity of the lane to provide adequate accessibility in terms of private vehicular movements, emergency vehicles and refuse vehicles, the carriageway width below the minimum 4.8 metres and where safe access and egress for all vehicles and pedestrians has not been demonstrated as an alternative arrangement where the required width cannot be provided, it is considered that the proposed development would be contrary to the provisions and objectives of the Dublin City Development Plan 2022-2028, specifically Section 4.3.8 of Appendix 5, in terms of the width of the laneway and given that safe access and egress for all vehicles and pedestrians must be demonstrated. The proposed development would set an undesirable precedent and would, therefore, be contrary to the proper planning and sustainable development of the area.



Patricia Calleary

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 14 day of January 2025.