



An
Bord
Pleanála

Board Order ABP-321078-24

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F24A/0683E

Appeal by Tom Ryan and Ellis McKechnie of 3 Barrack Lane, Lower Main Street, Rush, County Dublin against the decision made on the 20th day of September, 2024 by Fingal County Council to grant subject to conditions a permission to Patrick and Laragh Whelan care of Bell Associates of Executive House, Whitestown Road, Rush, County Dublin.

Proposed Development: Construction of a new two-storey detached dwellinghouse to rear of existing family home, storm water percolation area and new vehicular access off Barrack Lane, and associated site works, all at Sion House, Lower Main Street, Rush, County Dublin.

Decision

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

Reasons and Considerations

Having regard to the Fingal Development Plan 2023-2029, in particular to Sections 14.6.6.1 (Daylight and Sunlight) and 14.6.6.4 (Overlooking and Overbearance) and Table 14.4 thereof, and the Building Research Establishment's 2022 Guide (Site Layout Planning for Daylight and Sunlight), it is considered that, by reason of its height, bulk and orientation, the proposed development would be overbearing and would overshadow neighbouring property and, consequently, would have an unacceptable impact on residential amenity. Furthermore, the Board was not satisfied that the proposed access and parking arrangements would be in accordance with Section 14.17.5 (Road Network and Access) of the Fingal Development Plan 2023-2029, and the requirements of the Design Manual for Urban Roads and Streets, and, consequently, it is considered that the proposed access and parking arrangements would prejudice the safety and convenience of pedestrians and road users on Barrack Lane. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Mary Rose McGovern
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.



Dated this 28th day of February 2025.