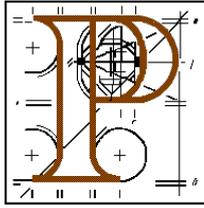


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Dublin City**

**Planning Register Reference Number: WEB1152/15**

An Bord Pleanála Reference Number: PL 29N.245255

**APPEAL** by Frances Cummins care of Plean Architecture and Urbanism of 2 Auburn Street, Phibsborough, Dublin and by others against the decision made on the 7<sup>th</sup> day of July, 2015 by Dublin City Council to grant subject to conditions a permission to Graham and Nin Thew care of George Boyle of Fumbally Exchange, 5 Dame Lane, Dublin.

**PROPOSED DEVELOPMENT:** A two-storey extension to rear of 34 square metres at ground level and 27 square metres at first level, and of use to include for home based economic activity. Vehicle access is included to garage at rear off a laneway which is accessible from Connaught Street. All at 41 Shandon Drive, Phibsborough, Dublin.

## **DECISION**

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

## **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **REASONS AND CONSIDERATIONS**

The Board considered that the proposed development by reason of its overall design, scale and length of projection at first floor level to the rear of the existing dwelling would be out of character with the existing scale, pattern and character of development in the vicinity of the site and would, thereby, seriously injure the amenities of the immediately adjoining dwellings to the east and west by reason of its visual dominance and overbearing impact when viewed from gardens and windows to the rear of these dwellings. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the proposed development would seriously injure the residential amenities of the neighbouring dwellings by reason of its visually dominant and overbearing impact when viewed from the rear of these dwellings. The Board considered the Inspector's recommendation to ameliorate the adverse impact of the proposed development by attaching a condition to a grant of planning permission requiring that the length of the proposed extension at first floor level be reduced. However, the Board considered that compliance with such a condition would necessitate such a fundamental redesign of the internal layout and accommodation to be provided that, on balance, planning permission for the proposed development should be refused.

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

**Dated this                    day of                    2015.**