



Planning and Development Acts 2000 to 2019

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD19A/0409

APPEAL by Matthew Lynch care of Armstrong Planning of 41 Lower Baggot Street, Dublin against the decision made on the 20th day of February, 2020 by South Dublin County Council to refuse permission to Matthew Lynch.

Proposed Development Subdivision of an existing dwelling with family flat to form two independent dwellings, subdivision of the existing rear garden space, a porch extension and direct external access to front of newly created dwelling and associated site works, all at 11 Ballyowen Road, Lucan, County Dublin.

Decision

REFUSE permission for the above proposed development in accordance with 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

Having regard to the “Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Houses Sustaining Communities” issued by the Department of the Environment, Heritage and Local Government in 2007 and the “Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns and Villages)” issued by the Department of the Environment, Heritage and Local Government in May 2009, to the provisions of the South Dublin County Council Development Plan 2016 - 2022, to the zoning of the area, and to its nature and layout, it is considered that the proposed development would be substandard in terms of the quantum and quality of private open space to be provided for the one-bedroom dwelling, in circumstances where the private open space to serve the existing house would be reduced from a quantum which is already below the minimum requirement for a new four-bedroom dwelling. The proposed development would seriously injure the residential amenity of its occupants and 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 did not agree that the proposed one-bedroom dwelling should be assessed as an apartment for the purposes of private amenity space provision.

John Connolly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2020.