



An
Bord
Pleanála

Board Direction
BD-004777-19
ABP-305154-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/12/2019.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. The proposed infill development, by virtue of its depth, height, massing and its proximity to the western boundary, would adversely impact the visual and residential amenity of neighbouring dwelling No. 14 Village Green by way of overbearing impact. Such development would be contrary to Section 6.6.7 of the Dundalk and Environs Development Plan 2009-2015, which requires that the design, orientation and massing of proposed development not cause any unacceptable overbearing on existing dwellings. The proposed development would, therefore, be contrary to the zoning objective of the site which seeks 'To protect and improve existing residential amenities' and would, therefore, not be in accordance with the proper planning and sustainable development of the area.
2. The position, size and design of the window opes on the western side elevation of the proposal at first floor level, coupled with their proximity to the western boundary, would result in perceived overlooking and loss of privacy of the garden and habitable rooms to the front and side of No. 14 Village Green. Such perceived overlooking and loss of privacy would adversely impact the residential amenity of the occupants of this dwelling. Furthermore, the layout and design of the proposed

roof terrace and its proximity to the northern and western boundaries would enable direct overlooking of the neighbouring dwellings to the north and west. Such development would be contrary Section 6.7.5 of the Dundalk and Environs Development Plan which states that roof terraces are not acceptable where they would directly overlook neighbouring habitable rooms or rear gardens. The proposed development would, therefore, adversely impact the privacy and residential amenity of these neighbouring dwellings and would be contrary to the zoning objective of the site which seeks 'To protect and improve existing residential amenities'. The proposed development would, therefore, not be in accordance with the proper planning and sustainable development of the area.

Note: The Board noted that an observation to the appeal was also received from Jim Pringle on 5/09/2019. The issues raised in this observation primarily related to overlooking, overbearing and overshadowing of No. 14 Village Green from the proposed development. These issues were also raised in the observation received from Paul Pringle on 09/09/2019 and the Board considered that the issues raised were satisfactorily addressed in the Inspector's report.

Board Member

Date: 16/12/2019

Maria FitzGerald