

An  
Bord  
Pleanála

**Board Direction**  
**BD-009442-21**  
**ABP-309681-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 10/11/2021.

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

#### **Reasons and Considerations**

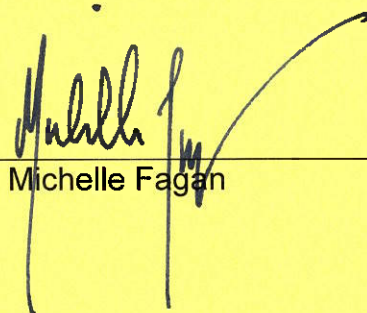
1. The proposed development, by reason of its inadequate provision of private amenity space and its excessive site coverage, would represent an inappropriate residential development at this location that would contribute to overdevelopment of the site. The proposed development would, therefore, fail to provide adequate residential amenity for future occupiers of the house, would be contrary to the Development Standards as set out in sections 16.6 and 16.10.2 of the Dublin City Development Plan 2016-2022 and would be contrary to the proper planning and sustainable development of the area.
2. It is considered that, by reason of its scale, bulk and depth, and its siting bounding the rear garden of No. 28 Orwell Road, the proposed development would be visually obtrusive and would have a significant overbearing effect on the private amenity space of No. 28. The proposal would, therefore, negatively detract from existing residential amenity and would be contrary to the proper planning and sustainable development of the area.
3. Based on the information submitted with the application and appeal, and having regard to the design, orientation, bulk and extent of the proposed

development, and its proximity parallel to the private amenity space of neighbouring property it is considered that-

- The Angle of Visible Sky to all habitable rooms in the proposed development would be restricted due to obstructions from proposed high walls, the impacts of overhanging roofs and deep room plans served by one wall of glazing. Furthermore adequate daylight provision to each room has not been demonstrated.
- The location, size and dimensions of acceptable private amenity space to the rear of the property and screened from the public, are surrounded by obstructions. The provision of at least two hours of sunlight to at least half of these areas on March 21<sup>st</sup> has not been demonstrated and is not considered likely.
- The proposed development by reason of its scale, bulk depth and siting would significantly overshadow the private rear garden of No. 28 Orwell Road.
- The location of the first floor courtyard private amenity space has the potential to compromise the appropriate development of lands adjoining the site to the south of the application site and as a result the comprehensive development of the streetscape to Orwell Mews.

Therefore, the development as proposed would give rise to substandard residential amenity for future occupiers of the proposed development and would seriously injure the residential amenities and development potential of existing property in the area. The proposed development would be contrary to Section 16.10.2 of the Dublin City Development Plan 2016-22, BRE209 - Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' and the proper planning and sustainable development of the area.

Board Member



Michelle Fagan

Date: 12/11/2021