



An
Bord
Pleanála

Board Direction
BD-018265-24
ABP-320499-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 19/11/2024.

The Board decided to refuse permission for the following reasons and considerations.

Reasons and Considerations

The Board was of the opinion that the proposed development, by reason of its scale, mass and height, would be visibly obtrusive and overbearing, would have a significant adverse impact on the residential amenities of the main property and of neighbouring properties, and would be contrary to the proper planning and sustainable development of the area.

The Board considered that, in principle, the site is suitable for infill/backland/mews development; however, with regard to the separation distance between the proposed two-storey detached dwelling, and the proposed northern site boundary with number 9 Fontenoy Street., the Board was mindful of the Dublin City Development Plan 2022-2028, in particular, Section 15.13.4 Backland Housing, that a proposed backland dwelling shall be located not less than 15 metres from the rear façade of the existing dwelling.

The Board also considered that the proposed development would adversely impact the existing residential amenities of the main property at Number 9 Fontenoy Street, and it noted the Inspector's observation that a habitable dwelling located to the south

of the existing building line on Fontenoy Street, would introduce an active residential use, with the potential for noise and nuisance considerations.

The Board also noted Section 15.13.5.2, of the Dublin City Development Plan 2022-2028, with regard to mews, that the height of mews building should not negatively impact on the views from the main property.

In deciding not to accept the Inspector's recommendation to grant permission, the Board noted the comment of the Inspector that the height and mass of the proposed two-storey detached dwelling would be greater than the existing shed to be demolished. It noted the Inspector's observation that although the footprint of the proposed development to the south, would be reduced by 3025mm, the increase in the eaves height with the shared boundaries with Number 8 and Number 10 Fontenoy Street, from 2600mm to 4750mm, would result in a greater massing than the existing shed proposed to be demolished. In that context, the Board was mindful of the Dublin City Development Plan 2022-2028, in particular, Section 15.13.4 that applications for backland housing should consider, amongst other matters, the scale, form and massing of the existing properties and interrelationship with the proposed backland development.

The Board considered that the proposed development would have an overbearing impact on the rear garden of Number 8 Fontenoy Street, and it did not share the Inspector's opinion that, on balance, the proposed development would not significantly adversely impact the residential amenities of Number 8 Fontenoy Street.

Board Member


MaryRose McGovern

Date: 22/11/2024