

An
Coimisiún
Pleanála

Direction
CD-020895-25
ABP-322786-25

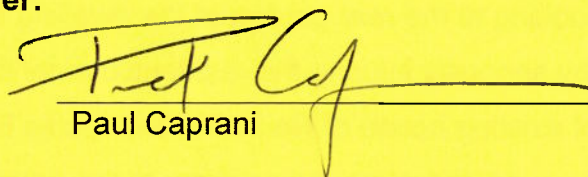
The submissions on this file and the Inspector's report were considered at a meeting held on 03/10/2025.

The Commission decided to refuse permission, for the following reasons and considerations, and subject to the following conditions.

Planning

Commissioner:

Date: 07/10/2025


Paul Caprani

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. It is considered that the proposed dwelling which incorporates a narrow gable-ended building fronting onto Threadneedle Road constitutes an incongruous addition to the streetscape which is out of character with the prevailing pattern of development of the area would adversely impact on the visual amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. It is considered that the proposed development by virtue of its excessive scale and size in such close proximity to the northern boundary of the site would result in an unacceptable level of overbearance and overshadowing which

would result in an significant and adverse impact on the residential amenity of adjoining properties to the north and would, therefore be contrary to the proper planning and sustainable development of the area.

3. The Commission is not satisfied based on the drawings submitted, that the proposed dwelling, and in particular the fenestration arrangements to serve bedroom no 2 provides a suitable level of amenity for future occupants of the dwelling house having particular regard to the high level, north facing window which will incorporate obscure glass. The Commission has concerns that this habitable room may not be afforded adequate levels of aspect, daylight and sunlight. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
4. Notwithstanding the letter of consent submitted, the Commission has concerns that the fenestration arrangements on the proposed dwelling will give rise to direct overlooking to the rear garden of the dwelling to the immediate south thereby seriously injuring the residential amenities of existing and future occupants of existing house of No.29 Threadneedle Road. 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 Commission acknowledged that there was a variety of house types on relatively large sites along Threadneedle Road, however there was a general uniformity in plot size, and that the proposed development would result in a subdivision of the plot size and the incorporation of a gable fronted two-storey dwelling which would be seriously out of character with the prevailing pattern of development in the area.

The Commission also considered that the size and scale of the building, being over 15 metres in length and over 8 metres in height in such close proximity to the northern boundary of the site would have a significant impact on the appellants amenity in terms of having an overbearing impact and a significant overshadowing impact. The Commission did not share the inspector's view that there was sufficient

amenity space in the back garden which would ensure that enough amenity would be afforded to the appellant. The Commission also did not share the inspectors view that the proposal would not materially give rise to additional overshadowing over and above that associated with the existing landscaping along the common boundary. The Commission considered that a new structure in excess of 8 metres in height would give rise to significant additional overshadowing over and above that associated with the existing boundary. The Commission considered that the location of the dwelling to the immediate south of the appellants garden would have a significant effect on private amenity of the appellant, particularly in terms of overshadowing.

The Commission also considered that the fenestration arrangements serving bedroom no.2 were insufficient to provide a sufficient level of residential amenity for future occupants. The modest size of the high level window serving the bedroom would deprive the occupant of any outlook from the habitable room. This coupled with the obscure glazing and north-facing orientation of the window would also diminish the amount of natural light penetrating the room, resulting in a poor level of amenity internally.

Finally, the Commission had concerns that the proposed dwelling would give rise to direct overlooking of the rear garden of the existing house at No.29 Threadneedle Road. While it was noted that the applicant submitted a letter of consent from the existing dwelling on site consenting to the fenestration arrangements, the Commission noted that amenities issues would arise where a change in ownership/occupation of the existing dwelling house might occur. The incorporation of windows serving the dining room and ground floor level and the master bedroom at first floor level will give rising to significant overlooking issues in the longer term.