

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: WEB 1387/15

An Bord Pleanála Reference Number: PL 29N.246277

APPEAL by Kathy Kelly and others of 4 Rathvale Park, Ayrfield, Dublin against the decision made on the 12th day of February, 2016 by Dublin City Council to grant subject to conditions a permission to Kathy Kelly and others of 4 Rathvale Park, Ayrfield, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: The demolition of the existing detached single storey garage structure and construction of a single storey flat roof one bedroom bungalow with new boundary walls and upgraded and modified vehicular entrance to existing access off Ayrfield Drive at 2c Rathvale Park, Ayrfield, Dublin.

DECISION

REFUSE permission for the above proposed development based on 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

It is an objective of the Dublin City Development Plan that residential developments be provided with an appropriate level of private open space. To this end, the previously permitted scheme under planning register reference number 2760/06 showed a reallocation of rear garden space between numbers 2 and 2A Rathvale Park and the subject site such that 2A would be allocated part of the garden of number 2, Rathvale Park and number 2 would be allocated the entirety of the rear (east) portion of the subject site. The proposed development would ensure that this layout, which has not been carried out to date, could not be carried out in the future, as per the terms of the permitted scheme. The proposed development would constitute an unacceptable cumulative intensification of development on a series of sites of a restricted size and would, therefore, seriously injure the amenities of property in the vicinity.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.