

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 2526/16

An Bord Pleanála Reference Number: PL 29N.247161

APPEAL by Catherine O'Doherty of 36 Brookwood Lawn, Artane, Dublin against the decision made on the 29th day of July, 2016 by Dublin City Council to grant subject to conditions a permission to Martin and Martina Griffin care of GAP Architects of 53A Carndonagh Park, Donaghmede, Dublin.

PROPOSED DEVELOPMENT: A new extension to the rear of existing house number 40, the extension will be part two-storey and part single storey. The realignment of the rear boundary between number 40 and number 40A and all associated site works, all at number 40 and number 40A Rosemount Avenue, Artane, 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

1. It is considered that the proposed extension, by reason of its extent, height and location, would seriously injure the residential amenities of adjoining property, and particularly those of number 36 Rosemount Avenue, by reason of overshadowing and overbearing impact. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. When taken in conjunction with existing development on the subject site, including the additional dwelling constructed to the side of the original dwelling (that is, house number 40A), and having regard to the limited rear garden space available for both dwellings, and the configuration of these rear gardens, it is considered that the proposed development would represent significant over-development of the overall site, which would result in inadequate rear garden areas and a poor level of outlook and amenity, which would seriously injure the residential amenities of the occupiers of these dwellings. 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 subject to a condition omitting a section of the proposed extension on the ground floor, the Board considered that this modification was not sufficient to obviate the deleterious impacts of the overall proposed extension on the residential amenities of adjoining property, and also was of the view that, when taken in conjunction with the additional dwelling already constructed on this original house site (that is, house number 40A), the proposed development would represent significant over-development of a modest residential property, particularly in view of the very limited rear garden space available and the configuration of the rear gardens.

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

Dated this day of 2016.