

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Dublin City

Planning Register Reference Number: 3341/16

An Bord Pleanála Reference Number: PL 29N.247361

APPEAL by Jonathan O'Sullivan and Madeleine Lowery of 80 Hollybrook Road, Clontarf, Dublin against the decision made on the 8th day of September, 2016 by Dublin City Council to grant subject to conditions a retention permission to Clondev Properties Limited care of Delphi Design, Architects and Planning Consultants of Unit 3, The Seapoint Building, 44-45 Clontarf Road, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Retain the creation of two number dwellings from a previously permitted single dwelling under planning register reference number 3838/10 and An Bord Pleanála appeal reference number PL29N.238692 (that is, house number 12). The two number dwellings in the north-west corner of the site, will replace the permitted development of one large end of terrace dwelling on this part of the site. The two number dwellings consist of a one number one and a half storey, one-bedroom house and a one number two and a half storey, three-bedroom house, including all associated site development works, on a site area of 0.02 hectares at numbers 59-60 Clontarf Road, 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 development for which retention is sought, by reason of its design, scale and layout, would result in substandard living accommodation having regard to the standards and guidance set out in 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities', issued by the Department of the Environment, Heritage and Local Government in 2007. The development for which retention is sought would, therefore, seriously injure the residential amenities of future occupants and be contrary to the proper planning and sustainable development the area.
2. The development for which retention is sought, consisting of two houses on a site that was required to be developed for one house only under condition 2(b) of the planning permission for the overall development of the lands under planning register reference number 3838/10 (An Bord Pleanála appeal reference number PL29N.238692), would materially contravene the terms of this condition, which condition is considered to be reasonable in order to protect the amenities of adjoining residential properties and users of nearby service lanes and to improve the ratio of parking spaces to dwellings within that permitted development. The development for which retention is sought would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2017.