

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Dublin City**

**Planning Register Reference Number: WEB1368/16**

An Bord Pleanála Reference Number: PL 29S.247671

**APPEAL** by John Kilraine of 38 John Dillon Street, Dublin against the decision made on the 4<sup>th</sup> day of November, 2016 by Dublin City Council to refuse permission.

**PROPOSED DEVELOPMENT:** Demolition of an existing single storey extension to the rear (13.6 square metres) and the construction of a part two storey extension to the rear of house to include a kitchen/dining area on ground floor and bedroom on first floor level and a pedestrian access door from rear yard exiting onto Clarence Mangan Square and a new high level window to existing ground floor gable wall and all associated site works at 38 John Dillon Street, Christchurch, 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 that the proposed development, by reason of scale, mass and height of infill along the boundary with the entrance to Clarence Mangan Square in conjunction with the proposed render finish, the incorporation of a high level window would be visually obtrusive in views from John Dillon Street and would be out of character with the established uniform scale, red brick finish and configuration of the existing artisan dwellings which come within the Thomas Street and Environs Architectural Conservation Area. As a consequence, the proposed development would adversely affect and seriously injure the visual amenities, integrity and established historic character of the Architectural Conservation Area and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the close proximity and small size of the cottages with frontage directly onto Clarence Mangan Square which is a very confined space adjoining the rear boundary of the site of number 38 John Dillon Street, it is considered that the proposed development, by reason of extent of coverage of the rear yard, the incorporation of an upper floor element, the scale, mass and height and depth along the boundaries and upper level fenestration to the rear and side and the grey brick and render finishes, would be visually obtrusive, would give rise to a visually dominant and overbearing impact and intrusiveness on the properties at Clarence Mangan Square and would obstruct access to daylight at the rear of the adjoining property at number 40 John Dillon Street to the south. Furthermore, the use of the of the proposed additional pedestrian entrance in the rear boundary wall would give use to disturbance and diminution of the privacy and residential amenity of the cottages on Clarence Mangan Square and would set an undesirable precedent for similar development at the adjoining properties with rear boundaries on Clarence Mangan Square. As a consequence, the proposed development would seriously injure the residential amenities of properties in the vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

**Dated this                      day of                      2017.**