



An
Bord
Pleanála

**Board Order
PL29S.248628**

Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: 2469/17

Appeal by Michael Furlong care of Hughes Planning and Development Consultants of The Mash House, Distillery Road, Dublin against the decision made on the 9th day of May, 2017 by Dublin City Council to refuse permission.

Proposed Development: (i) Construction of a three-storey, flat roof, three-bedroom house (reference House A), (ii) construction of a three-storey, flat roof, two-bedroom house (reference House B), (iii) formation of an upper terrace area to facilitate private garden space at first floor level to House A and roof level of House B, (iv) provision of a new five-metre wide vehicular entrance on Jamestown Road to provide two number off-street car parking spaces for House A, (v) provision of a new three-metre wide vehicular entrance off the Naas Road to provide one number off-street car parking space for House B and (vi) private amenity space, boundary treatment, landscaping and all associated site works necessary to facilitate the development. All at the side of Number 2 Jamestown Road, Inchicore, Dublin.

Decision

REFUSE permission or the above proposed development in accordance with 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. The proposed development would be substandard with regard to the minimum provision of private open space for houses as set out under Section 16.10.2 (Residential Quality Standards – Houses) of the Dublin City Development Plan 2016-2022. The proposed development, by itself or by the precedent which the grant of permission for it would set for other relevant development, would seriously injure the residential amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The provision of living room windows directly adjoining the public footpath would compromise the privacy of both houses. The provision of under-croft car parking, directly adjoining the public footpath, without any protection screen/gate/wall, would result in no clear demarcation between the public and private realms contrary to Appendix 14 (Safety and Security Design Guidelines). The proposed car parking for House A would be substandard with regard to both the minimum depth and maximum width of vehicular entrances as set out in the leaflet 'Parking Cars in Front Gardens.' The provision of two number car parking spaces exceeds the maximum number of car parking spaces allowable under Section 16.38 (Car Parking Standards) and Table 16.1 of the Dublin City Development Plan 2016-2022. The proposed development would not provide safe access and egress from the two houses and the proposed new vehicular entrances would be unacceptable, resulting in reversing movements onto busy traffic routes close to junctions which would endanger public safety by reason of traffic hazard. The proposed development would be substandard with regard to the minimum requirement of private open space for both houses. The proposed development would, therefore, be contrary to Section 16.10.9 (Corner /Side Garden Sites) of the Dublin City Development Plan 2016-2022 and would seriously injure the residential amenities of the area. 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 Board, while agreeing with the principal of a one house development on this site, was of the view that this objective could be achieved more satisfactorily by way of a new application to the planning authority. In agreeing with the Inspector's concerns, the Board was further of the view that any future application should not include any proposal for the provision of on-site car parking and should provide for some set back on the Naas Road side of the site.

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

Dated this day of 2017