

# Board Order PL 29N.249350

Planning and Development Acts 2000 to 2017 Planning Authority: Dublin City Council Planning Register Reference Number: 3536/17

**Appeal** by Darrol O'Neill care of David Winston of 24 Ventry Park, Cabra, Dublin against the decision made on the 21<sup>st</sup> day of September, 2017 by Dublin City Council to refuse permission.

**Proposed Development:** Demolition of existing single storey retail structure and construction of a single storey dwelling with one bedroom (in the roof space) plus study, velux windows to the front, new vehicle access with gates and walls to the front and all associated site works at 179C, Cabra Road, (access off Quarry Road), Cabra, Dublin.

### Decision

REFUSE permission for 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. Having regard to the provisions of the Dublin City Development Plan 2016-2022 and to the layout and design of the proposed development, including the enclosed front and rear garden areas, it is considered that the proposed development would provide inadequate and fragmented private amenity space, would constitute overdevelopment of this restricted site, would seriously injure the residential amenities of future occupants of the house and would be contrary to Policy QH21 of the development plan, which seeks to ensure that new houses provide a satisfactory level of residential amenity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area. 2. Having regard to the established character and pattern of development in the vicinity, the provisions of the Dublin City Development Plan 2016-2022 and the nature and scale of the proposed development, with the proposed two-storey house to be constructed directly onto the side boundary and rear garden of the adjoining property at number 177 Cabra Road, it is considered that the proposed development would have an overbearing impact when viewed from that property, would seriously injure the residential amenities of this adjoining property, and would be contrary to the provisions set out under Section 16.10.9 of the development plan, which require housing in side garden sites not to impact on the residential amenities of adjoining sites. The proposed development 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 2018