



Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: 4181/17

APPEAL by Opari Limited care of Downey Planning of 1 Westland Square, Pearse Street, Dublin against the decision made on the 5th day of January, 2018 by Dublin City Council to refuse permission to the said Opari Limited.

Proposed Development: Construction of two number one bed apartments at the second floor (roof level) to the block of apartments located to the rear of Park Springs (above existing units 6-11) comprising the removal of the existing roof above units 6-11, the construction of a mansard style roof containing the proposed apartments and the provision of four number new car parking spaces in addition to the existing car parking, minor internal alterations at the ground and first floor level, minor alterations and the provision of an external canopy to the northeast elevation, all at Units 6-11, Park Springs, Nephin 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

Under the Dublin City Development Plan 2016 – 2022, the site is subject to the zoning objective Z1 “to protect, provide and improve residential amenities”. Having regard to the location of the site in the context of surrounding development and pattern of development in the area, it is considered that the proposed second floor level apartments would, by reason of the distance to boundaries of the building, the design of the additional level, and proximity of windows and balconies to rear gardens adjoining the boundaries, be visually obtrusive and overbearing and would lead to overlooking of adjoining gardens and a loss of privacy to same. It is therefore considered that the proposed development would seriously injure the amenities of neighbouring residential properties, would contravene the aforementioned zoning objective, and would be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2018.