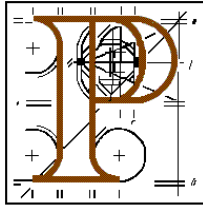


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Dublin City Council

Planning Register Reference Number: 4349/17

An Bord Pleanála Reference Number: ABP-300931-18

APPEAL by Vincent Gough care of Brian O'Donoghue Architects Limited of 62 Gilford Road, Sandymount, Dublin against the decision made on the 26th day of January, 2018 by Dublin City Council to refuse permission.

PROPOSED DEVELOPMENT: Construction of a two-storey detached pitched roofed dwelling, with two new vehicular entrances (to serve existing and proposed dwellings) at 7 Larkfield Gardens, Harold's Cross, 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

The proposed development is located within an area covered by zoning objective Z1 in the Dublin City Development Plan 2016 – 2022, the objective of which is to protect, provide and improve residential amenities. It is considered that the proposed development, by reason of its scale and layout, and undue proximity to adjacent properties, and notwithstanding the modifications to the design put forward as part of the appeal, would seriously injure the amenities of property in the vicinity by reason of overlooking and overbearing, would result in poor residential amenity for existing and future residents through inadequate open space provision for the existing and proposed development, would breach the established building line, and would represent overdevelopment of a constrained site. The proposed development would, therefore, be contrary to the provisions of the Development Plan and 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 general agreed with the planning authority in its reason for refusal and did not accept that, as a result of the modifications proposed by the applicant at appeal stage, the proposed development would be acceptable. The Board also noted that the nearby development at number 25A Larkfield Gardens, which was, inter alia, put forward by the applicant's agent in justification for the proposal, was the subject of a refusal by an Bord Pleanála under file reference number PL 29S.247669, and accordingly did not represent an appropriate precedent for the proposed development in terms of private open space provision and breach of an established building line.

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

Dated this day of 2018.