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**Planning and Development Acts 2000 to 2017**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 4438/17**

**APPEAL** by Hannah J. Deacon care of 40 Martin Street, Portobello, Dublin against the decision made on the 7<sup>th</sup> day of February, 2018 by Dublin City Council to grant subject to conditions a permission to Robert Renehan care of Joseph English of Park House, Ballisk Court, Donabate, County Dublin.

**Proposed Development:** Construction of a two-storey extension to rear at 42 Martin Street, Portobello, 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**

Having regard to the bulk, height and massing of the proposed two-storey extension, and its proximity to adjoining property to the north, it is considered that the proposed development would lead to significant loss of light to the windows of the rear extension of that property and to the first floor rear window of that property. The proposed development would, therefore, seriously injure the amenities of property in the vicinity, by reason of overshadowing, and would 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 did not accept that the level of overshadowing of the adjoining property to the north would not be significant or negative, and was of the view that the shadow projection drawings submitted by the appellant gave a reasonable indication of the impacts of the proposed two-storey extension on the amenity of the residents of this property.

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**Philip Jones**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2018.**