



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 2954/17

APPEAL by Catherine Byrne of 5A Tyrconnell Road, Inchicore, Dublin and by Colin Fay and others care of 112 Emmet Road, Inchicore, Dublin against the decision made on the 16th day of February, 2018 by Dublin City Council to grant subject to conditions permission to Clinton McDonald care of Peter Keenahan Architect of 3 High Road, Kilmainham Lane, Dublin.

Proposed Development: Development of three new, three-storey, three bedroom houses on the vacant site to the rear and for the conversion of the vacant first floor of the existing front building into a three bedroom apartment with a new balcony terrace above three off-street car parking spaces to the rear. The proposal involves making a vehicular entrance, with new steel gates, through the vacant shop at 122A Emmet Road and the demolition of the existing two storey extension to the rear of number 122 all at Site to the rear of Emmet Hall, 122-122A (also known as 124) Emmet Road, Inchicore, 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 established pattern of development in the area, it is considered that the proposed development by reason of its density, scale, form and design would result in an unacceptable degree of overlooking and overbearing impact on existing dwellings, would be out of character with development in the vicinity and would represent inappropriate back land development. The proposed development would, therefore, be contrary to the policies and objectives of the Dublin City Development Plan 2016-2022, in particular, policy QH 8 for back land development, and to the Urban Design Manual which accompanies the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns and Villages) issued by the Department of the Environment, Heritage and Local Government in May 2009. The proposed development would, therefore, seriously injure the visual and residential amenities of the area and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the layout and form of the proposed development, including the minimal sizes of windows serving a number of the bedrooms of the proposed houses, the lack of available light to the ground floors of the units and the inadequate size and layout of the proposed private open spaces of the houses, it is considered that the proposed development would seriously injure the residential amenities of future occupants and would, therefore, 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.