



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1037/18

APPEAL by Vivion Powney of 46A North Road, Finglas, Dublin against the decision made on the 26th day of March, 2018 by Dublin City Council to grant subject to conditions a permission to Mark Brown care of PDC Architectural of Churchfields, Kentstown, Navan, County Meath.

Proposed Development: Construction of a new first floor extension to side over shared vehicular passageway and arch at ground floor level. Extension comprising one additional bedroom to rear and extend existing bedroom to front at 42 North Road, Finglas, 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 nature, scale, proximity and positioning of the proposed development to the south of and adjacent to the side elevation of number 46a North Road, which includes a bedroom served by one window, it is considered that the proposed development would excessively restrict sunlight and daylight to this bedroom and would be visually overbearing when viewed from this bedroom. Accordingly, it is considered that the proposed development would seriously injure the residential amenities of this adjoining property, which in turn would be contrary to the provisions of Section 16.10.12 of the Dublin City Development Plan 2016-2022, which require that residential extensions do not result in an unacceptable effect on the amenities enjoyed by the occupants of adjacent buildings, including access to daylight and sunlight. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2018.