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**Planning and Development Acts 2000 to 2018**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD18A/0079**

**APPEAL** by Paul and Thomas Maguire care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 30<sup>th</sup> day of April, 2018 by South Dublin County Council to refuse permission.

**Proposed Development:** Construction of two detached dormer type houses with new entrance from Bohernabreena Cottages with all associated demolition of garden sheds, new boundary walls and site works to the rear and new entrances at 7 Bohernabreena Cottages, Tallaght, 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 design, scale and layout of the proposed dwellings, to the planning history of the site and the existing pattern of development in the area, the Board considered that the proposed development would give rise to overlooking and have an overbearing impact on adjacent properties. The Board considered therefore that the proposed development would seriously injure the visual and residential amenities of properties in the vicinity 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 considered that the proposed layout and fenestration design of House A would raise material issues in respect of the adjoining properties and that amending the layout and removing the vertical element of the window as suggested by the Inspector would seriously injure the residential amenity of future occupants by having a bedroom lit only by a roof light. The Board noted that permission already existed for a single dwelling on this site and therefore concurred with the views of the planning authority.

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

**Dated this            day of            2018.**