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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2734/18**

**APPEAL** by Antoinette Reynolds care of Future Analytics of 23 Fitzwilliam Square South, Dublin against the decision made on the 7<sup>th</sup> day of June, 2018 by Dublin City Council to refuse permission.

**Proposed Development** Construction of a new two-storey, two number bedroom residential dwelling (total area 90.3 square metres) with provision for 1 number car parking space, to integrated garage and all associated works with entrance accessed from an existing lane at the rear of the site at number 5 The Rise, Whitehall, 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 limited depth of the private amenity space to serve the proposed dwelling, the nature and extent of the existing uses to be retained at number 5 The Rise, comprising residential accommodation and a crèche/Montessori use, the limited area of private amenity space retained to serve these uses, and to the limited separation between the proposed dwelling and the existing properties on the eastern side of Woodpark opposite the appeal site, it is considered that the proposed development would give rise to overlooking and would seriously injure the visual and residential amenities for future occupants of the development and particularly occupants and users of the retained property at number 5, The Rise. The proposed development would, therefore, seriously injure the amenities and depreciate the value of existing properties in the vicinity of the site and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the relatively narrow width of the existing laneway (Woodpark) onto which access is proposed, together with the existing commercial uses along this lane, the private ownership of the laneway and lack of parking restrictions opposite the proposed entrance, the Board is not satisfied that the applicant has adequately demonstrated that vehicular access to and egress from the site could be achieved at all times. The proposed development would give rise to a traffic hazard and lead to the obstruction of road users and would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Paul Hyde**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2018.**