



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 3086/18

APPEAL by Linda and Paul Brennan care of RW Nowlan and Associates of 37 Lower Baggot Street, Dublin against the decision made on the 17th day of July, 2018 by Dublin City Council to refuse permission to the said Linda and Paul Brennan.

Proposed Development: Demolition of the existing single-storey bungalow and construction of two semi-detached houses of two to three storeys over basement together with landscaping works to the front garden including the provision of a new vehicular access off Kenilworth Lane South with associated driveway, all at 16B Kenilworth Road, 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 location of the site within an area designated as a residential conservation area in the current Development Plan for the area, and in proximity to protected structures on Kenilworth Road, it is considered that the proposed development, by reason of its height, fenestration and overall design, would be visually incongruous, would seriously injure the visual amenities of the area, and would adversely affect the setting of these protected structures, and having regard to its bulk, height and proximity to adjoining properties on Grosvenor Road, would seriously injure the residential amenities of such adjoining property by reason of overshadowing and being visually overbearing. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. It is considered that the proposed development would constitute overdevelopment of the site and would seriously injure the residential amenity for future occupiers by reason of the substandard quality and quantity of private open space. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. By reason of the proposed excavation of basements at this location, in proximity to areas in which there has been a number of flooding events, the Board is not satisfied, notwithstanding the submissions made in connection with the application and appeal, that the proposed development would not lead to a risk of exacerbating flooding of nearby property. The proposed development would, therefore, be contrary to the proper planning and 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.