



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 3976/18

APPEAL by Ngan Leung Chan and others care of Pat O'Brien of 19 Cadogan Road, Fairview, Dublin against the decision made on the 14th day of November, 2018 by Dublin City Council to refuse permission to the said Ngan Leung Chan and others.

Proposed Development: Planning permission sought for single storey, one bedroom housing unit on site to rear and accessing onto side laneway, at 5A Malahide Road, Artane, 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

The Board considered that the proposed residential unit would fail to provide an adequate level of amenity for future occupants due to its situation immediately beside a lane providing access to the back of several commercial premises, having regard to the disturbance that would arise from the established use of that lane for deliveries and waste management, and to the restricted outlook and natural light that would be available to the proposed residential unit. The proposed development would, therefore, seriously injure the residential amenities of future occupants and be contrary to the proper planning and sustainable development of the area.

Paul Hyde

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

Dated this day of 2019.