



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1116/19

APPEAL by Margaret and Sean O'Connell of 149 Mount Prospect Avenue, Clontarf, Dublin against the decision made on the 26th day of April, 2019 by Dublin City Council to refuse permission.

Proposed Development: Change of use and renovation of existing granny flat to residential use, the creation of a new rear 45 square metres private garden for new residential dwelling, increasing the height of existing chimney stack to allow for new stepped back first floor extension with mono pitched roof, increasing the height of existing front boundary walls with new front gates, and all associated site works, at 149 Mount Prospect Avenue, Clontarf, 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 Z1 zoning objective for the site and sections 16.10.13 and 16.10.14 of the Dublin City Development Plan 2016 - 2022, it is considered that the proposed development would be contrary to the previous planning permission granted under planning register reference number 1532/07, in that the “granny flat” structure is currently functioning separate to the host house, that it would provide poor quality accommodation and access to rear private open space, resulting in a poor standard of residential amenity for the future occupants and would set an undesirable precedent for future development in the area. The proposed development would, therefore, be contrary to the provisions of the current Development Plan and to the proper planning and sustainable development of the area.

2. Having regard to the established character and pattern of development in the vicinity, the provisions of the Dublin City Development Plan 2016-2022 and the prominent position of the proposed house in the side garden, with an additional first-floor substantially breaking the building line of immediately adjacent housing to the south, it is considered that the proposed development would be visually obtrusive on the streetscape, would detract from the visual amenities of the area and would be contrary to the provisions set out under Section 16.10.9 of the current Development Plan, which require developments on side garden sites to have regard to the character of the area, including building lines. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Dave Walsh

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

Dated this day of 2019.