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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2930/19**

**APPEAL** by Joseph Pisari and Nicola Beagan of 3 New Ireland Road, Rialto, Dublin against the decision made on the 2<sup>nd</sup> day of July, 2019 by Dublin City Council to refuse permission.

**Proposed Development:** (1) Proposed dormer to rear projecting above existing ridge - to include family room/gallery on 2<sup>nd</sup> floor of existing family terrace home. (2) Provision of vehicular entrance to rear garden to accommodate car park area - with access from existing laneway leading from South Circular Road. (3) Provision of Velux roof lights to front elevation - together with all ancillary works. All at 3 New Ireland Road, Rialto, 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. It is considered that proposed dormer extension, by reason of the projection above the roof ridgeline of the terrace of five houses and the excessive scale and proportions relative to the rear roof slope in width and depth, would be visually dominant, obtrusive and out of character with the existing and adjoining dwellings within the terrace. The proposed development would, therefore, seriously injure the visual amenities of the terrace of dwellings in views from the public realm along adjoining linear pedestrian and cycle route which forms part of the Grand Canal bank path within the city's green network. Furthermore, it would give rise to an undue degree of overlooking of the rear gardens of the adjoining houses which would seriously injure the residential amenities of those properties. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed creation of a vehicular entrance at the rear of the property would lead to obstruction and conflict with pedestrian and cyclist movements along the public cycle and pedestrian path within the green network in an area subject to the zoning objective Z 9 : “to preserve, provide and improve recreational amenity and open space and green networks” over which access via a restricted key holder operated barrier to and from the South Circular Road at Rialto Bridge, close to the site location would be required. The proposed development would, therefore, endanger public safety by reason of traffic hazard and would 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            2019.**