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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3128/19**

**APPEAL** by Michael O’Keeffe care of RW Nowlan and Associates of 37 Lower Baggot Street, Dublin against the decision made on the 22<sup>nd</sup> day of July, 2019 by Dublin City Council to refuse permission.

**Proposed Development:** Change the use from storage use to residential use and the addition of an extension of 16.7 square metres to the subject structure. It is intended to demolish the existing laundry and boiler room and replace the existing roller gate on the car entrance with an updated timber version. All to the rear of 80 Whitworth 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. The proposed development, by reason of the limited size and quality of private open space to be provided, and by reason of the limited size and quality of private open space that would remain for the existing dwelling on the site, would result in a substandard form of development which would be contrary to the provisions of the Dublin City Development Plan 2016-2022, and would comprise overdevelopment of the site. The proposed development would, therefore, seriously injure the residential amenities of the existing and future residents of the site, would be contrary to the provisions of Development Plan and would be contrary to the proper planning and sustainable development of the area.

2. The proposal provides for a mews development which is accessed via a laneway of less than 3.5 metres in width in which there is no footpath or verge. Section 16.10.16 of the Dublin City Development Plan 2016-2022 requires that such mews development is only permitted where the adjacent access road width is no less than 5.5 metres. This provision of the Development Plan is considered to be reasonable. The proposed development, involving pedestrian and vehicular access to this laneway, would endanger public safety by reason of traffic hazard, including to pedestrians, and would be contrary to the provision of the Dublin City Development Plan in this regard and would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Philip Jones**

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

**Dated this            day of            2019.**