



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: 4752/18

APPEAL by Christopher Campbell of 40 Shandon Road, Phibsboro, Dublin against the decision made on the 21st day of August, 2019 by Dublin City Council to grant subject to conditions a permission to Pacelli Lynch care of Michael Fitzpatrick Architects Limited of Main Street, Butlersbridge, County Cavan.

Proposed Development The construction of two number fully serviced two-storey dwellings (two-bed), car parking, entrances from access road to Shandon Mills, connection to all existing services and all ancillary works, all at rear of 43 Shandon 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

Having regard to the Z2 residential zoning objective for the site to protect and/or improve the amenities of residential conservation areas and to the design, scale and layout of the proposed development relative to adjacent properties particularly the quality and eastern orientation of the short rear gardens as well as the poor aspect from the windows in the upstairs rear bedrooms, the Board considered that the proposed development represented overdevelopment of the site which would provide a substandard level of residential amenity for future occupants of the development and which would seriously injure the residential amenities of property in the vicinity. The Board considered that the proposed development would not be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board agreed with the Inspector that a reduced quantum of private amenity space might be considered acceptable in this inner suburban location but remained concerned that the overall quality of the space was compromised arising from the orientation of the proposed gardens and the overall constrained nature of the site relative to adjoining developments. Furthermore, the Board noted that the rear bedrooms were served by side windows and rooflights but considered that the aspect from the windows was poor as a result of their orientation towards site boundaries and adjacent buildings. The Board, therefore, did not consider that the proposed development would be in accordance with the proper planning and sustainable development of the area.

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

Dated this day of 2019.