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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3831/19**

**APPEAL** by Andrea Free care of JAM Architecture Limited of 50-56 Merrion Road, Ballsbridge, Dublin against the decision made on the 15<sup>th</sup> day of October, 2019 by Dublin City Council to refuse permission for the proposed development.

**Proposed Development:** The demolition of a four-bedroom, two-storey derelict house (total floor area of 192 square metres) and the construction of five number residential units consisting of; two number four bedroom threestorey semi-detached houses facing Orwell Road with terrace balconies to the front at second floor level (houses 1 and 2 only) and three number two bedroom two storey terrace houses accessed from Washerwomans Lane with balconies to the rear at first floor level (houses 3, 4 and 5 only). The proposal includes the permanent closing of vehicular access on Orwell Road and retaining vehicular access on Washerwomans Lane to include five number car parking spaces, five number bicycle spaces and all associated landscaping and infrastructural works, all on a site area of approximately 0.0694 hectares at 31 Orwell Road and Washerwomans Lane, Rathgar, 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 pair of semi-detached properties facing onto Orwell Road, by reason of its scale, bulk and roof profile would be visually obtrusive to the streetscape and would not have adequate regard to the proportions and scale of the surrounding development. The proposed development would, therefore, be incongruous and out of character with the established built form in the area and would seriously injure the amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the extent of the proposed development on a constrained site, it is considered that the private amenity space for houses numbers 3, 4 and 5 would fail to meet minimum standards as set out in the Dublin City Development Plan 2016-2022 and would result in a substandard level of amenities for future occupiers. The proposed development, by itself and by the precedent which a grant of permission for it would set would be contrary to the provisions of the Dublin City Development Plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

**Dated this            day of            2020.**