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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2388/20**

**APPEAL** by Helen MacEvilly care of MacCabe Durney Barnes of 20 Fitzwilliam Place, Dublin against the decision made on the 9<sup>th</sup> day of June, 2020 by Dublin City Council to refuse permission for the proposed development.

**Proposed Development:** Construction of new flat roofed timber frame garden room to the rear of existing dwelling, at 226 Howth 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 planning history of the site and its limited size, it is considered that the proposed development would seriously injure the residential amenity of existing residents by reason of loss of open space. The proposed development would, therefore, represent significant overdevelopment of this constrained site and would be contrary to Section 16.2.2.3 of the Dublin City Development Plan 2016-2022.

Furthermore, the proposed development, by reason of its scale, bulk and proximity to site boundaries, would seriously injure the residential amenities of adjoining properties by reason of visual obtrusion and overbearing nature and would, therefore, be contrary to Section 17.5 as set out in Appendix 17 of the Development Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Terry Ó Niadh**

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

**Dated this            day of            2020.**