



Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 2631/20

APPEAL by Latinus Limited care of Simon Clear and Associates of 3 Terenure Road West, Terenure, Dublin against the decision made on the 14th day of July, 2020 by Dublin City Council to refuse permission.

Proposed Development: The development will consist of the demolition of existing storage buildings and construction of a two-storey, two-bedroom mews building; all with associated bin storage, car parking and site works, all at rear of 32 – 33 Rathgar Raod, Spireview Lane, 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 new dwelling, which would be accessed through a private carpark and which would not be provided with an appropriate level of private amenity space, would be contrary to the policies and objectives of the Dublin City Development Plan 2016-2022. In failing to provide an adequate standard of residential amenity for future residents, the proposed development would seriously injure the residential amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development is located in an area zoned Z2 with a stated zoning objective “to protect and/or improve the amenities of residential conservation areas”. Having regard to the established pattern of development in the area, the backland nature of the site and proximity to adjoining properties, the Board considered that the proposed development would be unduly prominent and overbearing to the neighbouring properties at Spireview Lane by reason of its bulk, scale, massing and the visual dominance of the proposed flank wall. The proposed development would, therefore, seriously injure the residential and visual amenities of this residential conservation area and be contrary to 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 2021