



Planning and Development Acts 2000 to 2020

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD20A/0155

APPEAL by Aisling and Niall O'Byrne care of Sheridan Woods of 14 Baggot Street Lower, Dublin against the decision made on the 21st day of August, 2020 by South Dublin County Council to refuse permission.

Proposed Development: Construction of a two-storey dwelling to the side garden of the existing dwelling with eight rooflights, new vehicular entrance and associated landscaping works at 25 Ballyroan Crescent, Rathfarnham, 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 Having regard to the location of the site to the side of an existing dwelling and in close proximity to existing dwellings, it is considered that the proposed development, by reason of the scale, bulk and height of the two-storey elements, would seriously injure the residential amenities of property in the area by reason of loss of light and overlooking and would, therefore, be contrary to the underlying land use zoning objective and to the proper planning and sustainable development of the area.
- 2 Having regard to the restricted nature and prominent location of the site and the established pattern of development in the surrounding neighbourhood, it is considered that the proposed development by reason of its scale, form and design, would constitute overdevelopment of a limited site area, would be visually obtrusive within the streetscape and out of character with development in the vicinity. The proposed development would, therefore, seriously injure the amenities of the area and would be contrary to the proper planning and sustainable development of the area.

Terry Ó Niadh

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2021.