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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: WEB1972/20**

**APPEAL** by Bart O'Farrell of 20 Mellows Road, Finglas, Dublin against the decision made on the 23<sup>rd</sup> day of February, 2021 by Dublin City Council to refuse permission.

**Proposed Development:** Retention of a single storey pitched roof garden room structure located to the rear of the site for multipurpose use including a study and store room ancillary to the main dwelling for the use and enjoyment of its occupants at 20 Mellows Road, Finglas, 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

The appeal site is located on lands zoned Objective Z1 under the provisions of the Dublin City Development Plan 2016-2022 where the stated objective is 'to protect, provide for and improve residential amenity'. Having regard to the scale of the garden room structure, its proximity to site boundaries and the elevated position in which it has been installed relative to the ground level on the rest of the site and on adjoining sites, it is considered that the structure as erected has a significant negative impact on residential amenities of surrounding properties due to overlooking, loss of privacy and visual intrusion. The retention of the structure as proposed would, therefore, seriously injure the amenities and depreciate the value of property in the vicinity, would be contrary to the Objective Z1 residential zoning objective for the site, and would be contrary to the proper planning and sustainable development of the area.



Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board.

Dated this 18<sup>th</sup> day of June 2021

