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**Planning and Development Acts 2000 to 2022**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD22A/0095**

**APPEAL** by Brian Sheridan care of Kane Architecture of 6 Clarinda Park North, Dun Laoghaire, County Dublin against the decision made on the 30<sup>th</sup> day of May, 2022 by South Dublin County Council to refuse permission for the proposed development.

**Proposed Development:** Construction of a two-storey dwelling with a mono pitch roof and ancillary site works to the side of existing house at 50A Springvale, Edmondstown Road, Rathfarnham, Dublin.

**Decision**

**REFUSE** permission for the above proposed development for the reasons and considerations set out below.



## Reasons and Considerations

1. The site is zoned RES under the South Dublin County Development Plan 2022-2028 the zoning objective for which is 'to protect and/or improve residential amenity'. It is considered that, by reason of the overall built form, the height, the interrelationship, as well as juxtaposition relative to adjoining properties within Springvale residential scheme, the pattern of development, together with the significant changes in ground level of the site and its setting, the proposed development would result in significant overshadowing, overbearing and overlooking of the adjacent dwellings to the east and would seriously injure the residential amenities of the area and would be contrary to the zoning objective of the site and to the criteria set out in section 12.6.8 of the Development Plan which requires residential development on side garden sites not give rise to adverse amenity impact on their setting or on the character of the area. The proposed development would, therefore, contravene the zoning objective for the site, would seriously injure the amenities of property in the vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. It is considered that safe means of vehicular access has not been demonstrated and that the proposed dwelling which would be served by an existing combined entrance whose sightlines are deficit in a northerly direction, where the pedestrian footpath provision is substandard and terminates to the north of it, where the entrance is located at a corner of an estate road serving a significant number of dwelling units to the north as well as north-west of it to where it terminates, and where, the additional traffic generated, has the potential to result in additional conflict with other road users. The proposed development, would, therefore endanger public safety by reason of traffic hazard.



3. Having regard to the documents submitted in relation to foul and surface water drainage, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that the proposed development would not be prejudicial to public health.



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**Liam Bergin**

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

Dated this 11 day of September 2023.