



Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3720/22

APPEAL by Rosemary Sherlock care of Anthony O'Beirne and Associates of Unit 7, Jamestown Industrial Centre, Inchicore, Dublin against the decision made on the 3rd day of June, 2022 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: Construction of a three-storey, one-bedroom townhouse, including private roof terrace and ground floor bin and bicycle storage, with access from public laneway from Sundrive Road. The proposed development replaces an existing self-contained, single storey commercial workshop/repair garage unit on the site, similarly accessed from the public laneway from Sundrive Road. The site is separated from the remainder of the above site by the presence of a long-established boundary wall. The only current access to the site is via the public laneway from Sundrive Road which is located adjacent to the southern boundary of number 170 Sundrive Road, all at site to the rear section of 16 Kildare Road, Crumlin, Dublin.

Decision

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

Reasons and Considerations

1. Having regard to the Z1 zoning object for the site, as set out in the current Dublin City Development Plan, which seeks 'to protect, provide and improve residential amenities', the standards for backland residential development set out in Chapter 15 of the current Dublin City Development Plan, the constrained nature of the site, the pattern of development on the laneway and to the rear of numbers 2 to 20 Kildare Road, and the restricted width of the laneway, it is considered that, by reason of its height and design, the proposed development of a three-storey townhouse/mews would constitute overdevelopment of this restricted site, would result in piecemeal and uncoordinated development of the lane, would fail to provide satisfactory private amenity space or parking for future occupants in line with the standards required for the type of development proposed as set out in the Development Plan, would seriously injure the amenities of the area and of property in the vicinity and would result in an undesirable precedent for similar developments at this location. The proposed development 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 development would add congestion on the laneway and would result in increased pedestrian, cyclist and commercial vehicle conflict. The proposed development would fail to comply with the standards for dwellings at backland and/or mews development in terms of width of the existing laneway, and the creation of a traffic safety hazard. Furthermore, it is considered that the design and layout of the proposed development would set an undesirable precedent in that it does not seek to achieve a 5.5-metre width for the lane along its eastern boundary and it also does not include any defensible space along this boundary. The proposed development would set an undesirable precedent, would endanger public safety by reason of traffic hazard and would, therefore, be contrary to the proper planning and sustainable development of the area.



M. Henchy

Mary Henchy

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

Dated this *30* day of *June* 2023.