



Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 5147/22

APPEAL by Adrian O'Hara care of Reid Associates of 2 Connaught Place, Crofton Road, Dun Laoghaire, County Dublin against the decision made on the 13th day of December, 2022 by Dublin City Council to refuse permission.

Proposed Development: The development will consist of:

- A. the demolition of an existing non-original single storey garage and shed to the rear of the property,
- B. the construction of a detached three-storey, flat roof, three-bedroom mews type dwelling to the rear of 138 Rathgar Road a protected structure, (in separate ownership), with main pedestrian access onto Garville Road,
- C. all ancillary site services, rooflights, privacy screens, bicycles, bin stores and landscaping; all to the rear of 138 Rathgar Road (a protected structure), Rathgar, Dublin.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

The Board was not satisfied that the applicant had fully complied with Section 15.13.5.1 of Chapter 15 of the Dublin City Development Plan 2022-2028 in relation to mews buildings, specifically,

- (a) that the amount of open space remaining after the subdivision of the garden should meet the private space requirements for the main house/protected structure, and
- (b) that the proposed boundary line be located at an appropriate distance from the building line of the main house/protected structure to provide an appropriate amenity space for the main house/protected structure.

It is considered that the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Joe Boland

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

Dated this *16TH* day of *February* 2024.