

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3150/23

APPEAL by Linda Olin care of David Moran Architects of 28-32 Pembroke Street, Upper, Dublin against the decision made on the 29th day of March, 2023 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: Construction of one residential block containing four apartments, two number two bedroom and two number one bedroom units in one two-storey detached dormer building with off-street parking for two cars, bicycle parking, bin store and SuDs unit on site between numbers 50 and 52 Jamestown Road, Finglas Dublin, with access only as existing from Jamestown Road.

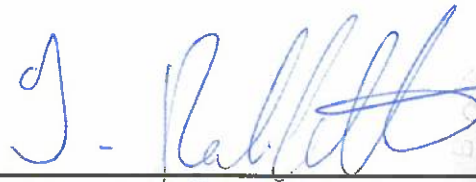
Decision

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

Reasons and Considerations

1. Having regard to the design and scale of the proposed development, in particular its proximity to site boundaries and the proximity of windows and first floor private amenity spaces to the south-east facing site boundary and adjoining residential properties, it is considered that the proposed development would have a significant negative impact on the amenity of surrounding properties by virtue of overlooking and overbearing visual impact. The proposed development would, therefore, seriously injure the residential amenities and depreciate the value of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.
2. Having regard to the single aspect nature of two of the proposed units in the development, to the proximity of the development to the eastern boundary of the site and to the confined layout and dimensions of the private amenity space serving the ground floor units and communal open spaces, the Board was not satisfied that that the proposed development would provide an adequate level of daylight and sunlight penetration to the ground floor units and to these amenity spaces and would thus result in a sub-standard level of residential amenity for future occupants of the development.

The proposed development has failed to demonstrate compliance with Paragraph 15.9.16.1 and Appendix 16 of the Dublin City Development Plan, 2022-2028 regarding daylight and sunlight and Paragraphs 15.9.7 and 15.9.8 of the plan regarding amenity space. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Tom Rabbette

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

Dated this 25th day of August 2023.