



An
Bord
Pleanála

Board Order ABP-318160-23

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 4168/23

Appeal by Tony McEnroe care of Peter Derbyshire of 61 Arnold Park, Glenageary, County Dublin against the decision made on the 11th day of September, 2023 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: Retention for change of use from garage/workshop to residential use of existing single storey flat roofed structure (38.7 square metres) in rear garden of 18 Crescent Gardens, East Wall, Dublin.

Decision

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

Reasons and Considerations

Having regard to the zoning of the site, the objective of which is 'to protect, provide and improve residential amenities', to the limited site area and access arrangements associated with the site, and the relationship of the structure to be retained with the adjoining dwelling within the site, and having regard to sections 2.0, 6.0 and 7.0 of Appendix 18 of the Dublin City Development Plan 2022-2028 which relates to Ancillary Residential Accommodation, it is considered that the development proposed to be retained is a separate independent residential unit that results in an inappropriate form of backland development giving rise to a substandard residential unit, which would have a significant negative impact on the residential amenities of the adjoining dwelling to the west, by virtue of visual intrusion, overlooking and negative visual impact. It is considered that the development proposed to be retained would be contrary to the provisions of the Dublin City Development Plan 2022-2028, would seriously injure the residential amenities of the existing adjoining property, would be contrary to the residential zoning objective of the site and 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 *October* 2024