



Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3042/24

Appeal by Stephanie Molloy and Brian Capper of 10 Springdale Road, Raheny, Dublin against the decision made on the 2nd day of July, 2024 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a 1.5-storey detached dormer bungalow in the rear garden, including all associated site works, landscaping and SUDs drainage details. Permission for the construction of new boundary walls and railings and gates within the site to the front, side and rear of the existing dwelling, all at 10 Springdale Road, Raheny, Dublin.

Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to ATTACH condition number 3 and the reasons therefor.

Reasons and Considerations

The Board considered that the scale, form and massing of the proposed development in this backland residential setting, within the back garden of an existing single dormer design house site, would result in an unacceptable overbearing impact and indirect overlooking on the adjoining properties and onto the host house and would injure the residential amenity currently enjoyed by these properties, including the use of their rear private amenity space. This would be contrary to the provisions of Section 15.13.4 of the Dublin City Development Plan 2022-2028 and contrary to the proper planning and sustainable development of the area.

Nonetheless, the Board was satisfied that this could be adequately addressed by the condition number 3, attached by the planning authority in this instance, requiring revisions to the design, to form a single-storey house response.



Patricia Calleary

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this 25 day of November 2024.