

An
Bord
Pleanála

Board Order
ABP-320988-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3189/24

APPEAL by Gerard Ganly and Pauline Mongan care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin and by Luke Foley and Megan MacMahon care of David Slattery Conservation Architects Limited of 8 Vergemount, Clonskeagh, Dublin against the decision made on the 10th day of September, 2024 by Dublin City Council to grant subject to conditions a permission to the said Gerard Ganly and Pauline Mongan.

Proposed Development: (i) Demolition of a detached single storey ancillary garage; (ii) the construction of a detached, two-storey, open gable roofed, two-bedroom dwelling of contemporary design; (iii) provision of new vehicular entrance adjacent to the existing pedestrian entrance to service the existing dwelling at number 7 Serpentine Park, providing one number in curtilage parking space; (iv) reuse of existing vehicular entrance of number 7 Serpentine Park to serve proposed dwelling, providing one number in curtilage parking space; and (v) all ancillary works inclusive of drainage, landscaping and boundary works necessary to facilitate the development at 7 Serpentine Park, Sandymount, Dublin.

Decision

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

Reasons and Considerations

The proposed development, by reason of its provision of private open space largely to the front of the site, would result in an unsatisfactory standard of residential amenity for future residents of the new house and also the reduction in the quantity and quality of residential amenity of the private open space of the adjacent property which would conflict with Section 15.11.3 of the Dublin City Development Plan 2022 – 2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

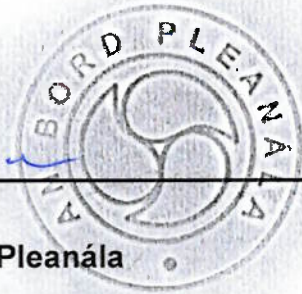
In deciding not to accept the Inspector's recommendation to grant permission, the Board accepted that the site is zoned under Objective Z1 (Sustainable Residential Neighbourhoods) of the Dublin City Development Plan and agreed that the proposal for a single infill residential dwelling accords with the site zoning where residential development is acceptable in principle. The Board did not agree that the provision of private open space largely to the front of the proposed development enclosed by a two metre wall would provide acceptable private open space for the future residents.

The Board shared the views of the planning authority in relation to setting back the building line but considered that this could further compromise the residential amenity of the proposed dwelling.



Marie O'Connor

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



Dated this 17 day of February 2025