



An
Bord
Pleanála

Board Direction
BD-003422-19
ABP-303964-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/6/2019.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. Having regard to the pattern of development in the area, the Board considered that the proposed development would represent piecemeal backland development of a large rear garden (tennis courts). The Board considered that the development as proposed was contrary to the Development Management standards for backland development as set out in section 8.2.3.4 (vi) of the Dun Laoghaire Rathdown County Development Plan 2016-2022 which stated that where there is potential to provide backland development at more than one site/property in a particular area, the Planning Authority will seek to encourage the amalgamation of adjoining sites/properties and the Board considered this reasonable. The Board considered that the proposed development would represent an unsustainable use of zoned serviced lands and would, therefore, be contrary to the proper planning and sustainable development of the area.

Note: Having regard to the provisions of Objective 57 of the National Planning Framework, and having regard to guidance as set out in 'The Planning System and Flood Risk Management Guidelines for Planning

Authorities (2009)', in relation to development proposals in areas at risk of flooding, the Board was not satisfied that there was adequate information relating to the risk of flooding, the analysis of such risk, and appropriate mitigating measures to address any risk in relation to the proposed development. However, in light of the substantive reason for refusal set out above, the Board decided not to issue a section 132 notice requesting further information on this issue to the applicant.

Board Member

Date: 28/06/2019

Maria FitzGerald